SUNAN IBN MAJAH

The sixth correct Tradition of the Prophetic Sunna

سنن ابن ماجة

Translated by
Mohammad Mahdi al-Sharif

English - Arabic Text

VOLUME II

DKI
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دار الكتب العلمية
أسسها محمد علي بيضون سنة 1971
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(6) THE BOOK OF FUNERALS

[1] Visiting The Sick Person (To Enquire About His Health)

1433- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The obligations of a Muslim towards a Muslim are six: to greet him with peace whenever he meets him; to answer him whenever he invites him (to any kind of hospitality or the like of that); to say to him: "Allah's Mercy be upon you" whenever he sneezes and says: "Praise be to Allah"; to visit him (in order to ask about his health) whenever he becomes ill; to follow his funeral procession whenever he dies; and to love for him just whatever (good) he loves for himself."

1434- It is narrated on the authority of Abu Mas'ud that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Four obligations are due upon a Muslim to a Muslim: to say to him: "Allah's Mercy be upon you" whenever he sneezes and says: "Praise be to Allah"; to answer him whenever he invites him (to any kind of hospitality or the like of that); to follow his funeral procession whenever he dies; and to visit him (in order to ask about his health) whenever he becomes ill."

1435- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The rights of a Muslim upon a Muslim are five: to return the greeting; to answer the invitation (to hospitality); to follow the funeral procession; to visit the sick person (in order to ask about his state); and to say to him who sneezes: "Allah's Mercy be to you" in case he praises Allah."

1436- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came on foot in the company of Abu Bakr to visit me (and ask about my health when I fell ill) and I was in (the dwelling places of) Banu Salemah.

1437- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used not to visit a sick person except after three (days of the beginning of his sickness).

1438- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you visit a sick person, relieve him (by arousing in him the hope of the length of) his lifetime: even though it never averts anything (that has become due upon him), by all means it makes the sick person well-pleased."

6 ـ كِتَابُ الجَنَائِزِ

1 ـ بابُ ما جَاءَ في عِيَادَةِ المَرِيضِ

1433 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ أَبِي إِسْحَاقَ، عَنِ الحَـرِثِ، عَنْ عَلِيٍّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لِلْمُسْلِمِ عَلَى الْمُسْلِمِ سِتَّةٌ بِالْمَعْرُوفِ: يُسَلِّمُ عَلَيْهِ إِذَا لَقِيَهُ. وَيُجِيبُهُ إِذَا دَعَاهُ. وَيُشَمِّتُهُ إِذَا عَطَسَ. وَيَعُودُهُ إِذَا مَرِضَ. وَيَتْبَعُ جِنَازَتَهُ إِذَا مَاتَ. وَيُحِبُّ لَهُ مَا يُحِبُّ لِنَفْسِهِ**».

1434 ـ **حدّثنا** أَبُو بِشْرٍ، بَكْرُ بْنُ خَلَفٍ، وَمُحَمَّدُ بْنُ بَشَّارٍ. قَالاَ: حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ. حَدَّثَنَا عَبْدُ الْحَمِيدِ بْنُ جَعْفَرٍ، عَنْ أَبِيهِ، عَنْ حَكِيمِ بْنِ أَفْلَحَ، عَنْ أَبِي مَسْعُودٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لِلْمُسْلِمِ عَلَى الْمُسْلِمِ أَرْبَعُ خِلاَلٍ: يُشَمِّتُهُ إِذَا عَطَسَ، وَيُجِيبُهُ إِذَا دَعَاهُ، وَيَشْهَدُهُ إِذَا مَاتَ، وَيَعُودُهُ إِذَا مَرِضَ**».

1435 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**خَمْسٌ مِنْ حَقِّ الْمُسْلِمِ عَلَى الْمُسْلِمِ: رَدُّ التَّحِيَّةِ، وَإِجَابَةُ الدَّعْوَةِ، وَشُهُودُ الْجِنَازَةِ، وَعِيَادَةُ الْمَرِيضِ، وَتَشْمِيتُ الْعَاطِسِ إِذَا حَمِدَ اللَّهَ**».

1436 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الصَّنْعَانِيُّ. حَدَّثَنَا سُفْيَانُ؛ قَالَ: سَمِعْتُ مُحَمَّدَ بْنَ الْمُنْكَدِرِ يَقُولُ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: عَادَنِي رَسُولُ اللَّهِ ﷺ مَاشِياً، وَأَبُو بَكْرٍ، وَأَنَا فِي بَنِي سَلِمَةَ.

1437 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا مَسْلَمَةُ بْنُ عَلِيٍّ. حَدَّثَنَا ابْنُ جُرَيْجٍ، عَنْ حُمَيْدٍ الطَّوِيلِ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: كَانَ النَّبِيُّ ﷺ لاَ يَعُودُ مَرِيضاً إِلاَّ بَعْدَ ثَلاَثٍ.

1438 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عُقْبَةُ بْنُ خَالِدٍ السَّكُونِيُّ، عَنْ مُوسَى بْنِ مُحَمَّدِ بْنِ إِبْرَاهِيمَ التَّيْمِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا دَخَلْتُمْ عَلَى الْمَرِيضِ فَنَفِّسُوا لَهُ فِي الأَجَلِ. فَإِنَّ ذٰلِكَ لاَ يَرُدُّ شَيْئاً. وَهُوَ يَطِيبُ بِنَفْسِ الْمَرِيضِ**».

1439- It is narrated on the authority of Ibn Abbas that once, the Messenger of Allah "Allah's blessing and peace be upon him" visited a man (to ask about his health) and asked him: "What do you desire for?" he said: "I've a desire for (eating) bread made of wheat." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever has wheat bread, let him send (something) to his (sick) brother." Then, the Messenger of Allah "Allah's blessing and peace be upon him" said: "When a sick person belonging to anyone of you has a desire for any (kind of food), he should serve him with that."

1440- It is narrated on the authority of Anas Ibn Malik that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" visited a sick person, and then he asked him: "Do you have a desire for (eating) anything? Do you have a desire for (eating) cake?" the (sick) man answered in the affirmative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" demanded that for him.

1441-It is narrated on the authority of Umar Ibn Al-Khattab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: If you visit a sick person, ask him to invoke good for you, for indeed, his invocation is (responded to by Allah) like that of the angels."

[2] The Reward Of Such As Visits A Patient (To Ask About His Health)

1442- It is narrated on the authority of Ali that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who comes to visit his Muslim (sick) brother (in order to enquire about his health), will walk, in the hereafter, in (a way, full of) clusters of fruits leading to the Garden, until he sits: when he sits, he will be covered up with mercy: if he is in the morning, seventy thousand angels keep asking for (Allah's) prayer upon him until it is evening; and if he is in the evening, seventy thousand angels keep asking for (Allah's) prayer upon him until it is morning."

1443-It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who visits a sick person (to ask about his state) a caller from the heaven will call: "Blessed be you, and blessed be your walk (to the Garden in the hereafter, as well as you walk to visit such a sick in the world); and let you occupy a position (of honour) in the Garden!""

1439 ـ **حدّثنا** الْحَسَنُ بْنُ عَلِيٍّ الْخَلاَّلُ. حَدَّثَنَا صَفْوَانُ بْنُ هُبَيْرَةَ. حَدَّثَنَا أَبُو مَكِينٍ، عَنْ عِكْرِمَةَ، عَنْ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ عَادَ رَجُلاً فَقَالَ: «**مَا تَشْتَهِي؟**» قَالَ: أَشْتَهِي خُبْزَ بُرٍّ. قَالَ النَّبِيُّ ﷺ: «**مَنْ كَانَ عِنْدَهُ خُبْزُ بُرٍّ فَلْيَبْعَثْ إِلَى أَخِيهِ**» ثُمَّ قَالَ النَّبِيُّ ﷺ: «**إِذَا اشْتَهَى مَرِيضُ أَحَدِكُمْ شَيْئاً، فَلْيُطْعِمْهُ**».

1440 ـ **حدّثنا** سُفْيَانُ بْنُ وَكِيعٍ. حَدَّثَنَا أَبُو يَحْيَى الْحِمَّانِيُّ، عَنِ الأَعْمَشِ، عَنْ يَزِيدَ الرَّقَاشِيِّ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: دَخَلَ النَّبِيُّ ﷺ عَلَى مَرِيضٍ يَعُودُهُ. فَقَالَ: «**أَتَشْتَهِي شَيْئاً؟ أَتَشْتَهِي كَعْكاً؟**» قَالَ: نَعَمْ. فَطَلَبُوا لَهُ.

1441 ـ **حدّثنا** جَعْفَرُ بْنُ مُسَافِرٍ. حَدَّثَنِي كَثِيرُ بْنُ هِشَامٍ. حَدَّثَنَا جَعْفَرُ بْنُ بُرْقَانَ، عَنْ مَيْمُونِ بْنِ مِهْرَانَ، عَنْ عُمَرَ بْنِ الْخَطَّابِ؛ قَالَ: قَالَ لِي النَّبِيُّ ﷺ: «**إِذَا دَخَلْتَ عَلَى مَرِيضٍ فَمُرْهُ أَنْ يَدْعُوَ لَكَ. فَإِنَّ دُعَاءَهُ كَدُعَاءِ الْمَلاَئِكَةِ**».

2 ـ بابُ ما جَاءَ في ثَوَابِ مَنْ عَادَ مَرِيضاً

1442 ـ **حدّثنا** عُثْمَانُ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو مُعَاوِيَةَ. حَدَّثَنَا الأَعْمَشُ، عَنِ الْحَكَمِ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي لَيْلَى، عَنْ عَلِيٍّ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ أَتَى أَخَاهُ الْمُسْلِمَ عَائِداً، مَشَى فِي خِرَافَةِ الْجَنَّةِ حَتَّى يَجْلِسَ. فَإِذَا جَلَسَ غَمَرَتْهُ الرَّحْمَةُ. فَإِنْ كَانَ غُدْوَةً صَلَّى عَلَيْهِ سَبْعُونَ أَلْفَ مَلَكٍ حَتَّى يُمْسِيَ. وَإِنْ كَانَ مَسَاءً صَلَّى عَلَيْهِ سَبْعُونَ أَلْفَ مَلَكٍ حَتَّى يُصْبِحَ**».

1443 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا يُوسُفُ بْنُ يَعْقُوبَ. حَدَّثَنَا أَبُو سِنَانٍ الْقَسْمَلِيُّ، عَنْ عُثْمَانَ بْنِ أَبِي سَوْدَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ عَادَ مَرِيضاً نَادَى مُنَادٍ مِنَ السَّمَاءِ: طِبْتَ وَطَابَ مَمْشَاكَ، وَتَبَوَّأْتَ مِنَ الْجَنَّةِ مَنْزِلاً**».

[3] Dictating (The Testimony That) "There Is No God But Allah" To The Dying Person

1444- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "You should dictate (the testimony that) "There is no god (to be worshipped) but Allah" to those suffering the death agonies among you."

1445- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" said: "You should dictate (the testimony that) "There is no god (to be worshipped) but Allah" to those suffering the death agonies among you."

1446- It is narrated on the authority of Ishaq Ibn Abdullah Ibn Ja'far from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Dictate to those suffering the death agonies among you (the statement): "There is no god but Allah, Most Forbearing, Most Honoured (and Generous); Glory be to Allah, the Lord of the Throne, Most Great; Praise be to Allah, the Lord of the worlds."" They said: "O Messenger of Allah! What is its(effect) for the living ones?" he said: "It is better and greater."

[4] What Is Said By The Present (People) When Death Approaches A Sick Person

1447- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you are visiting a sick person or one on the threshold of death, you should invoke good for him, for the angels say "Amen" in confirmation to what you say." When Abu Salamah died, I came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Abu Salamah (my husband) died." On that he said: "Say: O Allah! Forgive for me and him, and recompense me with good in substitution for him." When I did, Allah recompensed me with him, who is much better, Muhammad, Allah's Messenger "Allah's blessing and peace be upon him".

1448- It is narrated on the authority of Ma'qil Ibn Yasar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Recite it, i.e. (the Surah of) Ya Sin near those whom death approaches among you."

1449- It is narrated on the authority of Abd Ar-Rahman Ibn Ka'b Ibn Malik from his father that when death approached Ka'b, Umm Bishr, daughter of Al-Bara' Ibn Ma'rur came to him and said: "O Abu Abd Ar-Rahman! When you meet so and so (after death) salute him on behalf of me." He said: "O Umm Bishr! We (the dead) will be occupied by matters of

3 ـ بابُ ما جَاءَ في تَلْقِينِ المَيِّتِ لا إلٰه إلاّ الله

1444 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ يَزِيدَ بْنِ كَيْسَانَ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَقِّنُوا مَوْتَاكُمْ: لاَ إِلٰهَ إِلاَّ اللَّهُ»**.

1445 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ، عَنْ سُلَيْمَانَ بْنِ بِلاَلٍ، عَنْ عُمَارَةَ بْنِ غَزِيَّةَ، عَنْ يَحْيَىٰ بْنِ عُمَارَةَ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَقِّنُوا مَوْتَاكُمْ: لاَ إِلٰهَ إِلاَّ اللَّهُ»**.

1446 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا أَبُو عَامِرٍ. حَدَّثَنَا كَثِيرُ بْنُ زَيْدٍ، عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ جَعْفَرٍ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَقِّنُوا مَوْتَاكُمْ: لاَ إِلٰهَ إِلاَّ اللَّهُ الْحَلِيمُ الْكَرِيمُ، سُبْحَانَ اللَّهِ رَبِّ الْعَرْشِ الْعَظِيمِ، الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ»** قَالُوا: يَا رَسُولَ اللَّهِ كَيْفَ لِلأَحْيَاءِ؟ قَالَ: **«أَجْوَدُ، وَأَجْوَدُ»**.

4 ـ بابُ ما جَاءَ فيما يُقَالُ عِنْدَ المَرِيضِ إذا حُضِرَ

1447 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ أُمِّ سَلَمَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا حَضَرْتُمُ الْمَرِيضَ أَوِ الْمَيِّتَ، فَقُولُوا خَيْراً. فَإِنَّ الْمَلاَئِكَةَ يُؤَمِّنُونَ عَلَى مَا تَقُولُونَ»**.

فَلَمَّا مَاتَ أَبُو سَلَمَةَ أَتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنَّ أَبَا سَلَمَةَ قَدْ مَاتَ. قَالَ: **«قُولِي اللَّهُمَّ اغْفِرْ لِي وَلَهُ، وَأَعْقِبْنِي مِنْهُ عُقْبَى حَسَنَةً»**. قَالَتْ: فَفَعَلْتُ. فَأَعْقَبَنِي اللَّهُ مَنْ هُوَ خَيْرٌ مِنْهُ. مُحَمَّدٌ رَسُولُ اللَّهِ ﷺ.

1448 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَلِيُّ بْنُ الْحَسَنِ بْنِ شَقِيقٍ، عَنِ ابْنِ الْمُبَارَكِ، عَنْ سُلَيْمَانَ التَّيْمِيِّ، عَنْ أَبِي عُثْمَانَ (وَلَيْسَ بِالنَّهْدِيِّ)، عَنْ أَبِيهِ، عَنْ مَعْقِلِ بْنِ يَسَارٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«اِقْرَؤُوهَا عِنْدَ مَوْتَاكُمْ»** يَعْنِي يَس.

1449 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ. حَدَّثَنَا الْمُحَارِبِيُّ. جَمِيعاً عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنِ الْحَرِثِ بْنِ فُضَيْلٍ، عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ كَعْبِ بْنِ مَالِكٍ، عَنْ أَبِيهِ؛ قَالَ: لَمَّا حَضَرَتْ كَعْباً الْوَفَاةُ، أَتَتْهُ أُمُّ بِشْرٍ بِنْتُ الْبَرَاءِ بْنِ مَعْرُورٍ. فَقَالَتْ: يَا أَبَا عَبْدِ الرَّحْمٰنِ إِنْ لَقِيتَ فُلاَناً فَاقْرَأْ عَلَيْهِ مِنِّي السَّلاَمَ. قَالَ: غَفَرَ اللَّهُ لَكِ يَا أُمَّ بِشْرٍ نَحْنُ أَشْغَلُ مِنْ ذٰلِكَ. قَالَتْ: يَا أَبَا عَبْدِ الرَّحْمٰنِ أَمَا سَمِعْتَ رَسُولَ اللَّهِ ﷺ يَقُولُ:

greater seriousness." On that she said: "O Abu Abd Ar-Rahman! Have you not heard the statement of the Messenger of Allah "Allah's blessing and peace be upon him" that "The souls of the faithful believers (and the martyrs among them in particular) will be inside the bodies of green birds, hanging (i.e. eating) in the trees of the Garden"?" he said: "Yes (I have heard that)." She said: "Then, it (sending peace to them) is possible."

1450- It is narrated on the authority of Muhammad Ibn Al-Munkadir that he said: I visited Jabir Ibn Abdullah while death was approaching him, and said to him: Salute the Messenger of Allah "Allah's blessing and peace be upon him" on my behalf.

[5] The Believer Receives Reward While He Is Approaching Death

1451- It is narrated on the authority of A'ishah that once, the Messenger of Allah "Allah's blessing and peace be upon him" entered into her, and she had a relative of hers, whom death was constricting. When the Messenger of Allah "Allah's blessing and peace be upon him" saw how she suffered (because of that), he said to her: "Do not grieve for your relative, for that (which he is suffering) is a portion of his good deeds."

1452- It is narrated on the authority of Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the faithful believer dies with the sweat of forehead."

Comment: (This might be because of the severity of death agonies he suffers to have the remaining portion of his sins plotted out from him; or because of his feeling shy of Allah Almighty when he receives the glad tidings of his being admitted to the Garden in spite of his sins; or it might be said that the sweat of forehead is a sign by which the believing dead in particular are characterized, even though its significance is unknown.)

1453- It is narrated on the authority of Abu Musa that he said: I asked the Messenger of Allah "Allah's blessing and peace be upon him": "When is a (dying) servant's awareness of people cut off (irretrievably)?" He said: "When he witnesses (the death angels, and the affairs of the hereafter)."

[6] Shutting (The Eyes Of) The Dead Person

1454- It is narrated on the authority of Umm Salamah that she said: (When Abu Salamah died) The Messenger of Allah "Allah's blessing and peace be upon him" entered into Abu Salamah and his eyes were fixedly open. Thereupon he (the Prophet) closed them up and said: "No doubt, when one's soul is arrested, the sight follows it(and this is why one's eyes should be shut after death)."

«إِنَّ أَرْوَاحَ الْمُؤْمِنِينَ فِي طَيْرٍ خُضْرٍ، تَعْلَقُ بِشَجَرِ الْجَنَّةِ» قَالَ: بَلَى. قَالَتْ: فَهُوَ ذَاكَ.

1450 ـ **حدّثنا** أَحْمَدُ بْنُ الأَزْهَرِ. حَدَّثَنَا مُحَمَّدُ بْنُ عِيسَى. حَدَّثَنَا يُوسُفُ بْنُ الْمَاجَشُونِ. حَدَّثَنَا مُحَمَّدُ بْنُ الْمُنْكَدِرِ؛ قَالَ: دَخَلْتُ عَلَى جَابِرِ بْنِ عَبْدِ اللَّهِ وَهُوَ يَمُوتُ. فَقُلْتُ: اقْرَأْ عَلَى رَسُولِ اللَّهِ ﷺ السَّلاَمَ.

5 ـ بابُ ما جَاءَ في المُؤمِنِ يُؤجَرُ في النَّزْعِ

1451 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ. حَدَّثَنَا الأَوْزَاعِيُّ، عَنْ عَطَاءٍ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ دَخَلَ عَلَيْهَا وَعِنْدَهَا حَمِيمٌ لَهَا يَخْنُقُهُ الْمَوْتُ. فَلَمَّا رَأَى النَّبِيُّ ﷺ مَا بِهَا قَالَ لَهَا: «**لاَ تَبْتَئِسِي عَلَى حَمِيمِكِ. فَإِنَّ ذَلِكَ مِنْ حَسَنَاتِهِ**».

1452 ـ **حدّثنا** بَكْرُ بْنُ خَلَفٍ، أَبُو بِشْرٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ الْمُثَنَّى بْنِ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**الْمُؤْمِنُ يَمُوتُ بِعَرَقِ الْجَبِينِ**».

1453 ـ **حدّثنا** رَوْحُ بْنُ الْفَرَجِ. حَدَّثَنَا نَصْرُ بْنُ حَمَّادٍ. حَدَّثَنَا مُوسَى بْنُ كَرْدَمٍ، عَنْ مُحَمَّدِ بْنِ قَيْسٍ، عَنْ أَبِي بَرْدَةَ، عَنْ أَبِي مُوسَى؛ قَالَ: سَأَلْتُ رَسُولَ اللَّهِ ﷺ، مَتَى تَنْقَطِعُ مَعْرِفَةُ الْعَبْدِ مِنَ النَّاسِ؟ قَالَ: «**إِذَا عَايَنَ**».

6 ـ بابُ ما جَاءَ في تَغْمِيضِ المَيِّتِ

1454 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ أَسَدٍ. حَدَّثَنَا مُعَاوِيَةُ بْنُ عَمْرٍو. حَدَّثَنَا أَبُو إِسْحَاقَ الْفَزَارِيُّ، عَنْ خَالِدٍ الْحَذَّاءِ، عَنْ أَبِي قِلاَبَةَ، عَنْ قَبِيصَةَ بْنِ ذُؤَيْبٍ، عَنْ أُمِّ سَلَمَةَ؛ قَالَتْ: دَخَلَ رَسُولُ اللَّهِ ﷺ عَلَى أَبِي سَلَمَةَ، وَقَدْ شَقَّ بَصَرُهُ، فَأَغْمَضَهُ. ثُمَّ قَالَ: «**إِنَّ الرُّوحَ إِذَا قُبِضَ، تَبِعَهُ الْبَصَرُ**».

1455- It is narrated on the authority of Shaddad Ibn Aws that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you are present (at the time of the death of) your dead persons, shut their eyes, for when one's soul is arrested, his sight follows it; and you should invoke good (for him) for the angels say "Amen" in confirmation to what the inhabitants of the house say."

[7] Kissing The Dead Person

1456- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" kissed Uthman Ibn Maz'un and he was dead: as if I am seeing his tears flowing upon his (Uthman's) cheeks.

1457- It is narrated on the authority of both Ibn Abbas and A'ishah that Abu Bakr kissed the Messenger of Allah "Allah's blessing and peace be upon him" while he was dead.

[8] Washing The Dead (Body)

1458- It is narrated on the authority of Umm Atiyyah that she said: Allah's Apostle "Allah's blessing and peace be upon him" came to us while we were washing the body of Umm Kulthum, his daughter and said: "Wash her thrice or five times or more, if you see it necessary, with water and lote scent. Then apply camphor or some of it at the end. When you finish, notify me." So when we finished it, we informed him and he gave us his waist-sheet and told us to shroud the dead body in it.

1459- The same is narrated on the authority of Umm Atiyyah, with a slight variation of words: in this narration it is reported that he ordered them to wash her an odd number of times, to start from her right side, and the parts of ablution in her body, and Umm Atiyyah said: We combed her hair, and entwined it into three braids.

1460- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Do not show your thigh (to anyone unlawful for him to see it), nor should you look at the thigh of anyone be he living or dead(unlawful for you to see)."

1461- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let not but the trustworthy ones wash (the bodies of) your dead persons."

1462- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is engaged in washing (the body of) a dead, shrouding him, applying Hunut to

1455 ـ **حدّثنا** أَبُو دَاوُدَ، سُلَيْمَانُ بْنُ تَوْبَةَ. حَدَّثَنَا عَاصِمُ بْنُ عَلِيٍّ. حَدَّثَنَا قَزَعَةُ بْنُ سُوَيْدٍ، عَنْ حُمَيْدٍ الأَعْرَجِ، عَنِ الزُّهْرِيِّ، عَنْ مَحْمُودِ بْنِ لَبِيدٍ، عَنْ شَدَّادِ بْنِ أَوْسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا حَضَرْتُمْ مَوْتَاكُمْ، فَأَغْمِضُوا الْبَصَرَ. فَإِنَّ الْبَصَرَ يَتْبَعُ الرُّوحَ. وَقُولُوا خَيْراً. فَإِنَّ الْمَلاَئِكَةَ تُؤَمِّنُ عَلَى مَا قَالَ أَهْلُ الْبَيْتِ»**.

7 ـ بابُ ما جَاءَ في تَقْبِيلِ المَيِّتِ

1456 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ؛ قَالاَ: حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَاصِمِ بْنِ عُبَيْدِ اللَّهِ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ؛ قَالَتْ: قَبَّلَ رَسُولُ اللَّهِ ﷺ عُثْمَانَ بْنَ مَظْعُونٍ وَهُوَ مَيِّتٌ. فَكَأَنِّي أَنْظُرُ إِلَى دُمُوعِهِ تَسِيلُ عَلَى خَدَّيْهِ.

1457 ـ **حدّثنا** أَحْمَدُ بْنُ سِنَانٍ، وَالْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ، وَسَهْلُ بْنُ أَبِي سَهْلٍ؛ قَالُوا: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ سُفْيَانَ، عَنْ مُوسَى بْنِ أَبِي عَائِشَةَ، عَنْ عُبَيْدِ اللَّهِ، عَنِ ابْنِ عَبَّاسٍ وَعَائِشَةَ؛ أَنَّ أَبَا بَكْرٍ قَبَّلَ النَّبِيَّ ﷺ وَهُوَ مَيِّتٌ.

8 ـ بابُ ما جَاءَ في غَسْلِ المَيِّتِ

1458 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ، عَنْ أَيُّوبَ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أُمِّ عَطِيَّةَ؛ قَالَتْ: دَخَلَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ وَنَحْنُ نُغَسِّلُ ابْنَتَهُ أُمَّ كُلْثُومٍ. فَقَالَ: **«اغْسِلْنَهَا ثَلاَثاً أَوْ خَمْساً أَوْ أَكْثَرَ مِنْ ذَلِكَ، إِنْ رَأَيْتُنَّ ذَلِكَ، بِمَاءٍ وَسِدْرٍ. وَاجْعَلْنَ فِي الآخِرَةِ كَافُوراً أَوْ شَيْئاً مِنْ كَافُورٍ. فَإِذَا فَرَغْتُنَّ فَآذِنَّنِي»** فَلَمَّا فَرَغْنَا آذَنَّاهُ. فَأَلْقَى إِلَيْنَا حَقْوَهُ. وَقَالَ: **«أَشْعِرْنَهَا إِيَّاهُ»**.

1459 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ، عَنْ أَيُّوبَ. حَدَّثَتْنِي حَفْصَةُ، عَنْ أُمِّ عَطِيَّةَ بِمِثْلِ حَدِيثِ مُحَمَّدٍ. وَكَانَ فِي حَدِيثِ حَفْصَةَ: **«اغْسِلْنَهَا وِتْراً»** وَكَانَ فِيهِ: **«اغْسِلْنَهَا ثَلاَثاً أَوْ خَمْساً»** وَكَانَ فِيهِ: **«ابْدَأْوا بِمَيَامِنِهَا وَمَوَاضِعِ الْوُضُوءِ مِنْهَا»** وَكَانَ فِيهِ: أَنَّ أُمَّ عَطِيَّةَ قَالَتْ: وَمَشَطْنَاهَا ثَلاَثَةَ قُرُونٍ.

1460 ـ **حدّثنا** بِشْرُ بْنُ آدَمَ. حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنْ عَاصِمِ بْنِ ضَمْرَةَ، عَنْ عَلِيٍّ؛ قَالَ: قَالَ لِي النَّبِيُّ ﷺ: **«لاَ تُبْرِزْ فَخِذَكَ، وَلاَ تَنْظُرْ إِلَى فَخِذِ حَيٍّ وَلاَ مَيِّتٍ»**.

1461 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُصَفَّى الْحِمْصِيُّ. حَدَّثَنَا بَقِيَّةُ بْنُ الْوَلِيدِ، عَنْ مُبَشِّرِ بْنِ عُبَيْدٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لِيُغَسِّلْ مَوْتَاكُمُ الْمَأْمُونُونَ»**.

1462 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ الْمُحَارِبِيُّ. حَدَّثَنَا عَبَّادُ بْنُ كَثِيرٍ، عَنْ عَمْرِو بْنِ خَالِدٍ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنْ عَاصِمِ بْنِ ضَمْرَةَ، عَنْ عَلِيٍّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ غَسَّلَ مَيِّتاً وَكَفَّنَهُ وَحَنَّطَهُ وَحَمَلَهُ وَصَلَّى عَلَيْهِ، وَلَمْ يُفْشِ عَلَيْهِ مَا رَأَى، خَرَجَ مِنْ خَطِيئَتِهِ مِثْلَ يَوْمِ وَلَدَتْهُ أُمُّهُ»**.

the body, carrying (the bier of) him, and offering funeral prayer for him, and further he does not make public whatever (defects) he might see in his body, he comes out of sins (as pure and clear as) he was on the day his mother gave birth to him."

1463- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has been engaged in washing (the body of) a dead person, let him take a bath."

[9] What About Man's Washing (The Dead Body Of) His Wife, And A Woman's Washing (The Dead Body Of) Her Husband

1464- It is narrated on the authority of Abdullah Ibn Az-Zubair from his father from A'ishah that she said: Had I known earlier what I came to know later, surely, none would have washed (the body of) The Messenger of Allah "Allah's blessing and peace be upon him" barring his wives.

1465- It is narrated on the authority of A'ishah that she said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" returned from Baqi' and found me suffering from headache, and I was saying: "O my head!" on that he said: "Nay! It is I, O A'ishah who (has more claim to say): "O my head!" then the Messenger of Allah "Allah's blessing and peace be upon him" further said: "What is harm on you O A'ishah if you died before me, so that I would stand upon you, in order to wash your (dead body), shroud you, offer funeral prayer for you, and then bury you?"

[10] Washing The (Body Of The) Messenger Of Allah

1466- It is narrated on the authority of Ibn Buraidah from his father that he said: When they went on washing (the body of) The Messenger of Allah "Allah's blessing and peace be upon him" (and they hesitated to deprive him of the shirt he was wearing), a caller called them from inside (the room): "Do not deprive the (body of the) Messenger of Allah of his shirt."

1467- It is narrated on the authority of Ali that he said that when he washed the (body of the) Messenger of Allah, he went on finding what a man would find in (the body of) the dead but he got nothing, thereupon he said: "Let my father be sacrificed for you! Blessed be as you are living, and blessed be you as you are dead!"

1468- It is narrated on the authority of Ali that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When I die, wash my (body) with seven water-skins (of water) from my well, the well of Ghars."

1463 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ الْمُخْتَارِ، عَنْ سَهْلِ بْنِ أَبِي صَالِحٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ غَسَّلَ مَيِّتاً فَلْيَغْتَسِلْ**».

9 ـ بابُ ما جَاءَ في غَسْلِ الرَّجُلِ امْرَأَتَهُ وغَسْلِ المَرْأَةِ زَوْجَهَا

1464 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا أَحْمَدُ بْنُ خَالِدٍ الذَّهَبِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ يَحْيَى بْنِ عَبَّادِ بْنِ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: لَوْ كُنْتُ اسْتَقْبَلْتُ مِنْ أَمْرِي مَا اسْتَدْبَرْتُ مَا غَسَّلَ النَّبِيَّ ﷺ غَيْرُ نِسَائِهِ.

1465 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا أَحْمَدُ بْنُ حَنْبَلٍ. حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ يَعْقُوبَ بْنِ عُتْبَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ، عَنْ عَائِشَةَ؛ قَالَتْ: رَجَعَ رَسُولُ اللَّهِ ﷺ مِنَ الْبَقِيعِ. فَوَجَدَنِي وَأَنَا أَجِدُ صُدَاعاً فِي رَأْسِي. وَأَنَا أَقُولُ: وَارَأْسَاهُ. فَقَالَ: «**بَلْ أَنَا، يَا عَائِشَةُ وَارَأْسَاهُ**» ثُمَّ قَالَ: «**مَا ضَرَّكِ لَوْ مِتِّ قَبْلِي فَقُمْتُ عَلَيْكِ فَغَسَّلْتُكِ وَكَفَّنْتُكِ وَصَلَّيْتُ عَلَيْكِ وَدَفَنْتُكِ**».

10 ـ بابُ ما جَاءَ في غَسْلِ النَّبِيِّ ﷺ

1466 ـ **حدّثنا** سَعِيدُ بْنُ يَحْيَى بْنِ الأَزْهَرِ الْوَاسِطِيُّ. حَدَّثَنَا أَبُو مُعَاوِيَةَ. حَدَّثَنَا أَبُو بُرْدَةَ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ قَالَ: لَمَّا أَخَذُوا فِي غُسْلِ النَّبِيِّ ﷺ نَادَاهُمْ مُنَادٍ مِنَ الدَّاخِلِ: لاَ تَنْزِعُوا عَنْ رَسُولِ اللَّهِ ﷺ قَمِيصَهُ.

1467 ـ **حدّثنا** يَحْيَى بْنِ خِذَامٍ. حَدَّثَنَا صَفْوَانُ بْنُ عِيسَى. أَنْبَأَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ؛ قَالَ: لَمَّا غَسَّلَ النَّبِيَّ ﷺ ذَهَبَ يَلْتَمِسُ مِنْهُ مَا يَلْتَمِسُ مِنَ الْمَيِّتِ، فَلَمْ يَجِدْهُ. فَقَالَ: بِأَبِي الطَّيِّبُ. طِبْتَ حَيًّا وَطِبْتَ مَيِّتاً.

1468 ـ **حدّثنا** عَبَّادُ بْنُ يَعْقُوبَ. حَدَّثَنَا الْحُسَيْنُ بْنُ زَيْدِ بْنِ عَلِيِّ بْنِ الْحُسَيْنِ بْنِ عَلِيٍّ، عَنْ إِسْمَاعِيلَ بْنِ عَبْدِ اللَّهِ بْنِ جَعْفَرٍ، عَنْ أَبِيهِ، عَنْ عَلِيٍّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا أَنَا مُتُّ فَاغْسِلُونِي بِسَبْعِ قِرَبٍ، مِنْ بِئْرِي، بِئْرِ غَرْسٍ**».

[11] The Shroud Of The Messenger Of Allah

1469- It is narrated on the authority of A'ishah that the (body of the) Messenger of Allah "Allah's blessing and peace be upon him" was shrouded in three white Yemenite garments, having no shirt nor turban. It was said to A'ishah: They pretended that he was shrouded in a lined Burdah. On that she said: It is true they brought a Burdah with lines, but they did not shroud him in it.

1470- It is narrated on the authority of Ibn Umar that he said: The (body of the) Messenger of Allah "Allah's blessing and peace be upon him" was shrouded in three white Suhuliyyah pieces (of cloth made of) cotton.

1471- It is narrated on the authority of Ibn Abbas that he said: The (body of the) Messenger of Allah "Allah's blessing and peace be upon him" was shrouded in three garments, including the shirt he was wearing when he died, and a Najrani cloak.

[12] Concerning The Desirable Shroud

1472- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best of your garments are the white (ones): so, shroud your dead in them, and take them as your clothes."

1473- It is narrated on the authority of Ubadah Ibn As-Samit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The cloak is the best of your shrouds."

Comment: (The significance here is to put a stress upon the fact that the shroud should cover the whole body, as a cloak does.)

1474- It is narrated on the authority of Abu Qatadah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you is in charge of (the process of preparing the dead body of) his brother (for burial), let him make good his shroud (and let him shroud him perfectly)."

[13] Looking At The Dead Body When It Is Put In The Shroud

1475- It is narrated on the authority of Anas Ibn Malik that he said: When Ibrahim, the son of the Messenger of Allah "Allah's blessing and peace be upon him" died, the Messenger of Allah "Allah's blessing and peace be upon him" said to them: "Do not put him in his shroud until I look

11 ـ بابُ ما جَاءَ في كَفَنِ النَّبيِّ ﷺ

1469 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ أَنَّ النَّبِيَّ ﷺ كُفِّنَ فِي ثَلاَثَةِ أَثْوَابٍ بِيضٍ يَمَانِيَةٍ، لَيْسَ فِيهَا قَمِيصٌ وَلاَ عِمَامَةٌ. فَقِيلَ لِعَائِشَةَ: إِنَّهُمْ كَانُوا يَزْعُمُونَ أَنَّهُ قَدْ كَانَ كُفِّنَ فِي حِبَرَةٍ. فَقَالَتْ عَائِشَةُ: قَدْ جَاءُوا بِبُرْدٍ حِبَرَةٍ، فَلَمْ يُكَفِّنُوهُ.

1470 ـ **حدّثنا** مُحَمَّدُ بْنُ خَلَفٍ الْعَسْقَلاَنِيُّ. حَدَّثَنَا عَمْرُو بْنُ أَبِي سَلَمَةَ، قَالَ: هٰذَا مَا سَمِعْتُ مِنْ أَبِي مُعَيْدٍ، حَفْصِ بْنِ غَيْلاَنَ، عَنْ سُلَيْمَانَ بْنِ مُوسٰى، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ قَالَ: كُفِّنَ رَسُولُ اللَّهِ ﷺ فِي ثَلاَثِ رِيَاطٍ بِيضٍ سُحُولِيَّةٍ.

1471 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ يَزِيدَ بْنِ أَبِي زِيَادٍ، عَنِ الْحَكَمِ، عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: كُفِّنَ رَسُولُ اللَّهِ ﷺ فِي ثَلاَثَةِ أَثْوَابٍ: قَمِيصُهُ الَّذِي قُبِضَ فِيهِ، وَحُلَّةٌ نَجْرَانِيَّةٌ.

12 ـ بابُ ما جَاءَ فيما يُسْتَحَبُّ مِنَ الكَفَنِ

1472 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا عَبْدُ اللَّهِ بْنُ رَجَاءٍ الْمَكِّيُّ، عَنْ عَبْدِ اللَّهِ بْنِ عُثْمَانَ بْنِ خُثَيْمٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«خَيْرُ ثِيَابِكُمُ الْبَيَاضُ. فَكَفِّنُوا فِيهَا مَوْتَاكُمْ، وَالْبَسُوهَا»**.

1473 ـ **حدّثنا** يُونُسُ بْنُ عَبْدِ الأَعْلَىٰ. حَدَّثَنَا ابْنُ وَهْبٍ. أَنْبَأَنَا هِشَامُ بْنُ سَعْدٍ، عَنْ حَاتِمِ بْنِ أَبِي نَصْرٍ، عَنْ عُبَادَةَ بْنِ نُسَيٍّ، عَنْ أَبِيهِ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«خَيْرُ الْكَفَنِ الْحُلَّةُ»**.

1474 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا عُمَرُ بْنُ يُونُسَ. حَدَّثَنَا عِكْرِمَةُ بْنُ عَمَّارٍ، عَنْ هِشَامِ بْنِ حَسَّانٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي قَتَادَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا وَلِيَ أَحَدُكُمْ أَخَاهُ فَلْيُحْسِنْ كَفَنَهُ»**.

13 ـ بابُ ما جَاءَ في النَّظَرِ إلى المَيِّتِ إذا أُدْرِجَ في أَكْفَانِهِ

1475 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ سَمُرَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ الْحَسَنِ. حَدَّثَنَا أَبُو شَيْبَةَ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: لَمَّا قُبِضَ إِبْرَاهِيمُ، ابْنُ النَّبِيِّ ﷺ قَالَ لَهُمُ النَّبِيُّ ﷺ: **«لاَ تُدْرِجُوهُ فِي أَكْفَانِهِ حَتَّى أَنْظُرَ إِلَيْهِ»** فَأَتَاهُ فَانْكَبَّ عَلَيْهِ، وَبَكَى.

at him." Then, (before they did) he came to (see) him, turned over him and went on weeping.

[14] Concerning The Forbiddance To Announce The Death News

1476- It is narrated on the authority of Bilal Ibn Yahya that he said: Whenever there was a dead person belonging to (the family of) Hudhaifah, he would say: "Do not inform anyone of his death, for I fear it might belong to the announcement of death news; and indeed, I heard the Messenger of Allah "Allah's blessing and peace be upon him" with those ears of mine having forbidden announcing the death news."

[15] What About Attending The Funeral Procession

1477- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Hasten (in walking) with the funeral procession: if it is (of a) righteous, then, (your quickness) will be good that you present to him; otherwise, you will relieve yourselves of (the burden of its) evil."

1478- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: He, who follows a funeral procession (and takes part in carrying the bier), let him carry from every portion of the sides of the bier, since this is a part of the sunnah: furthermore, one could do that (i.e. take part in carrying the bier) voluntarily if he so likes, or leave (carrying) if he so likes.

1479- It is narrated on the authority of Abu Musa that once, the Messenger of Allah "Allah's blessing and peace be upon him" saw a funeral procession, with which they were walking very fast, thereupon he said: "Let you walk with tranquility!"

1480- It is narrated on the authority of Thawban, the freed slave of the Messenger of Allah "Allah's blessing and peace be upon him" that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" saw some people on their mounts while following a funeral procession. On that he said: "Do you not feel shy that Allah's angels are walking on foot and you are on your mounts (while following the funeral procession)?"

1481- It is narrated on the authority of Al-Mughirah Ibn Shu'bah that he said: I heard the Prophet "Allah's blessing and peace be upon him" having said: "(It is more fitting for) the rider to be behind the funeral procession, and to such as walks on foot to be wherever he likes from its (sides)."

14 ـ بابُ ما جَاءَ في النَّهْيِ عَنِ النَّعْيِ

1476 ـ حدّثنا عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ، عَنْ حَبِيبِ بْنِ سُلَيْمٍ، عَنْ بِلاَلِ بْنِ يَحْيَىٰ؛ قَالَ: كَانَ حُذَيْفَةُ، إِذَا مَاتَ لَهُ الْمَيِّتُ قَالَ: لاَ تُؤْذِنُوا بِهِ أَحَداً. إِنِّي أَخَافُ أَنْ يَكُونَ نَعْياً. إِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ، بِأُذُنَيَّ هَاتَيْنِ، يَنْهَى عَنِ النَّعْيِ.

15 ـ بابُ ما جَاءَ في شُهُودِ الجَنَائِزِ

1477 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَهِشَامُ بْنُ عَمَّارٍ؛ قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَسْرِعُوا بِالْجِنَازَةِ، فَإِنْ تَكُنْ صَالِحَةً فَخَيْرٌ تُقَدِّمُونَهَا إِلَيْهِ. وَإِنْ تَكُنْ غَيْرَ ذٰلِكَ فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ»**.

1478 ـ حدّثنا حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ مَنْصُورٍ، عَنْ عُبَيْدِ بْنِ نِسْطَاسٍ، عَنْ أَبِي عُبَيْدَةَ؛ قَالَ: قَالَ عَبْدُ اللَّهِ بْنُ مَسْعُودٍ: مَنِ اتَّبَعَ جِنَازَةً فَلْيَحْمِلْ بِجَوَانِبِ السَّرِيرِ كُلِّهَا. فَإِنَّهُ مِنَ السُّنَّةِ. ثُمَّ إِنْ شَاءَ فَلْيَتَطَوَّعْ. وَإِنْ شَاءَ فَلْيَدَعْ.

1479 ـ حدّثنا مُحَمَّدُ بْنُ عُبَيْدِ بْنِ عَقِيلٍ. حَدَّثَنَا بِشْرُ بْنُ ثَابِتٍ. حَدَّثَنَا شُعْبَةُ، عَنْ لَيْثٍ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَىٰ، عَنِ النَّبِيِّ ﷺ أَنَّهُ رَأَى جِنَازَةً يُسْرِعُونَ بِهَا. قَالَ: **«لِتَكُنْ عَلَيْكُمُ السَّكِينَةُ»**.

1480 ـ حدّثنا كَثِيرُ بْنُ عُبَيْدٍ الْحِمْصِيُّ. حَدَّثَنَا بَقِيَّةُ بْنُ الْوَلِيدِ، عَنْ أَبِي بَكْرِ بْنِ أَبِي مَرْيَمَ، عَنْ رَاشِدِ بْنِ سَعْدٍ، عَنْ ثَوْبَانَ مَوْلَى رَسُولِ اللَّهِ ﷺ قَالَ: رَأَى رَسُولُ اللَّهِ ﷺ نَاساً رُكْبَاناً عَلَى دَوَابِّهِمْ، فِي جِنَازَةٍ. فَقَالَ: **«أَلاَ تَسْتَحْيُونَ أَنَّ مَلاَئِكَةَ اللَّهِ يَمْشُونَ عَلَى أَقْدَامِهِمْ وَأَنْتُمْ رُكْبَانٌ؟»**.

1481 ـ حدّثنا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ. حَدَّثَنَا سَعِيدُ بْنُ عُبَيْدِ اللَّهِ بْنِ جُبَيْرِ بْنِ حَيَّةَ. حَدَّثَنِي زِيَادُ بْنُ جُبَيْرِ بْنِ حَيَّةَ. سَمِعَ الْمُغِيرَةَ بْنَ شُعْبَةَ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«الرَّاكِبُ خَلْفَ الْجِنَازَةِ وَالْمَاشِي مِنْهَا حَيْثُ شَاءَ»**.

[16] Walking In Front Of The Funeral Procession

1482- It is narrated on the authority of Salem that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him", Abu Bakr and Umar walking in front of the funeral procession.

1483- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him", Abu Bakr, Umar and Uthman used to walk in front of the funeral procession.

1484- It is narrated on the authority of Abdullah Ibn Mas'ud: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The funeral procession should be followed, and it is (not fitting for it to) follow (anyone); and such as walks ahead of it is not of (those taking part in) it."

[17] It Is Forbidden To Change Clothes (While Going On) With A Funeral Procession

1485- It is narrated on the authority of both Imran Ibn Al-Husain and Abu Barzah that they said: We set out to follow a funeral procession with the Messenger of Allah "Allah's blessing and peace be upon him", and he saw a people having taken off their lower garments, and they were walking only in shirts, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do you copy the conduct (or do you imitate the act) of (those of the pre-Islamic period of) ignorance? I intended to invoke evil against you, so that you will return with faces other than those you have." They took on their lower garments, and never returned to that.

[18] Whenever A Funeral Procession Becomes Ready, It Should Not Be Delayed, Nor Should It Be Followed With Fire

1486- It is narrated on the authority of Ali Ibn Abu Talib that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not delay (walking with) the funeral procession, once it becomes ready."

1487- It is narrated on the authority of Abu Burdah that when death approached Abu Musa Al-Ash'ari he said: "Do not follow (the funeral procession of) me with fire." It was said to him: "Did you hear something pertaining to its (forbiddance)?" he said: "Yes (I heard that) from the Messenger of Allah "Allah's blessing and peace be upon him"."

[19] Concerning The Dead, For Whom A Group Of Muslims Offer Funeral Prayer

1488- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, for whom (no

16 ـ بابُ ما جَاءَ في المَشْيِ أَمَامَ الجِنَازَةِ

1482 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَهِشَامُ بْنُ عَمَّارٍ، وَسَهْلُ بْنُ أَبِي سَهْلٍ؛ قَالُوا: حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ؛ قَالَ: رَأَيْتُ النَّبِيَّ وَأَبَا بَكْرٍ وَعُمَرَ يَمْشُونَ أَمَامَ الجِنَازَةِ.

1483 ـ **حدثنا** نَصْرُ بْنُ عَلِيٍّ الجَهْضَمِيُّ، وَهَارُونُ بْنُ عَبْدِ اللَّهِ الْحَمَّالُ؛ قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ الْبُرْسَانِيُّ. أَنْبَأَنَا يُونُسُ بْنُ يَزِيدَ الأَيْلِيُّ، عَنِ الزُّهْرِيِّ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ وَأَبُو بَكْرٍ وَعُمَرُ وَعُثْمَانُ يَمْشُونَ أَمَامَ الْجِنَازَةِ.

1484 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ، عَنْ يَحْيَىٰ بْنِ عَبْدِ اللَّهِ التَّيْمِيِّ، عَنْ أَبِي مَاجِدَةَ الْحَنَفِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الْجِنَازَةُ مَتْبُوعَةٌ وَلَيْسَتْ بِتَابِعَةٍ. لَيْسَ مَعَهَا مَنْ تَقَدَّمَهَا»**.

17 ـ بابُ ما جَاءَ في النَّهْيِ عَنِ التَّسَلُّبِ مَعَ الجِنَازَةِ

1485 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَخْبَرَنِي عَمْرُو بْنُ النُّعْمَانِ. حَدَّثَنَا عَلِيُّ بْنُ الْحَزَوَّرِ، عَنْ نُفَيْعٍ، عَنْ عِمْرَانَ بْنِ الْحُصَيْنِ وَأَبِي بَرْزَةَ؛ قَالاَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي جِنَازَةٍ. فَرَأَى قَوْماً قَدْ طَرَحُوا أَرْدِيَتَهُمْ يَمْشُونَ فِي قُمُصٍ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«أَبِفِعْلِ الْجَاهِلِيَّةِ تَأْخُذُونَ؟ أَوْ بِصُنْعِ الْجَاهِلِيَّةِ تَشَبَّهُونَ؟ لَقَدْ هَمَمْتُ أَنْ أَدْعُوَ عَلَيْكُمْ دَعْوَةً تَرْجِعُونَ فِي غَيْرِ صُوَرِكُمْ»** قَالَ، فَأَخَذُوا أَرْدِيَتَهُمْ وَلَمْ يَعُودُوا لِذٰلِكَ.

18 ـ بابُ ما جَاءَ في الجِنَازَةِ لا تُؤَخَّرُ إذا حَضَرَتْ ولا تُتْبَعُ بنَارٍ

1486 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَخْبَرَنِي سَعِيدُ بْنُ عَبْدِ اللَّهِ الْجُهَنِيُّ؛ أَنَّ مُحَمَّدَ بْنَ عُمَرَ بْنِ عَلِيِّ بْنِ أَبِي طَالِبٍ حَدَّثَهُ عَنْ أَبِيهِ، عَنْ جَدِّهِ عَلِيِّ بْنِ أَبِي طَالِبٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ تُؤَخِّرُوا الْجِنَازَةَ إِذَا حَضَرَتْ»**.

1487 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الأَعْلَىٰ الصَّنْعَانِيُّ. أَنْبَأَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ، قَالَ: قَرَأْتُ عَلَى الْفُضَيْلِ بْنِ مَيْسَرَةَ، عَنْ أَبِي حَرِيزٍ؛ أَنَّ أَبَا بُرْدَةَ حَدَّثَهُ قَالَ: أَوْصَى أَبُو مُوسَى الأَشْعَرِيُّ، حِينَ حَضَرَهُ الْمَوْتُ، فَقَالَ: لاَ تُتْبِعُونِي بِمِجْمَرٍ. قَالُوا لَهُ: أَوَ سَمِعْتَ فِيهِ شَيْئاً؟ قَالَ: نَعَمْ. مِنْ رَسُولِ اللَّهِ ﷺ.

19 ـ بابُ ما جَاءَ فيمَنْ صَلَّى عَلَيْهِ جَمَاعَةٌ مِنَ المُسْلِمِينَ

1488 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عُبَيْدُ اللَّهِ. أَنْبَأَنَا شَيْبَانُ، عَنِ

less than) one hundred of the Muslims offer funeral prayer (after his death his sins) will be forgiven for him."

1489- It is narrated on the authority of Kuraib, the freed slave of Abdullah Ibn Abbas that he said: A son belonging to Ibn Abbas died; and he said to me: "O Kuraib! Stand up and see whether they gathered (to offer funeral prayer and follow the procession) for my son." I said: "Yes (they gathered)." He said: "Allah's Mercy be upon you! How many do you guess them? Are they (about) forty?" I said: "No: they are more." On that he said: "Then, you could take out my son. No doubt, I bear witness that I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "No faithful believer for whom (no less than) forty from amongst the faithful believers intercede but that Allah will accept their intercession.""

1490- It is narrated on the authority of Malik Ibn Hubairah Ash-Shami, and he had a (portion of the Prophet's) companionship that whenever (the dead body of) anyone was brought to him (to lead the prayer on it) and he regarded those who would follow (the funeral procession and offer funeral prayer) as few in number, he would then divide them into three rows, and then he would lead the funeral prayer for it. He told that Allah's Messenger "Allah's blessing and peace be upon him" said: "Never three rows of Muslims align for a dead (to pray for him, and follow his funeral procession) but that (Allah's Forgiveness) will be assured to him."

[20] Praising The Dead

1491- It is narrated on the authority of Anas Ibn Malik: A funeral procession passed by the Messenger of Allah "Allah's blessing and peace be upon him" and the people praised the deceased. The Prophet "Allah's blessing and peace be upon him" said: "It has been affirmed to him." Then another funeral procession passed and the people spoke badly of the deceased. The Prophet "Allah's blessing and peace be upon him" said: "It has been affirmed to him." It was said: "O Messenger of Allah! You said concerning this (former which the people praised): "It has been affirmed to him"; and at the same time you said concerning that (latter which the people condemned): "It has been affirmed to him" (What is that which has been affirmed to both?)" He replied: "(It is) the witness of the people, and of a surety, the faithful believers are Allah's witnesses on the earth."

1492- It is narrated on the authority of Abu Hurairah: A funeral procession passed by the Messenger of Allah "Allah's blessing and peace be upon him" and the people praised the deceased and attributed the characteristics of goodness to him. The Prophet "Allah's blessing and peace

الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ صَلَّى عَلَيْهِ مِائَةٌ مِنَ الْمُسْلِمِينَ غُفِرَ لَهُ**».

1489 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا بَكْرُ بْنُ سُلَيْمٍ. حَدَّثَنِي حُمَيْدُ بْنِ زِيَادٍ الْخَرَّاطُ، عَنْ كُرَيْبٍ مَوْلَى عَبْدِ اللَّهِ بْنِ عَبَّاسٍ؛ قَالَ: هَلَكَ ابْنٌ لِعَبْدِ اللَّهِ بْنِ عَبَّاسٍ فَقَالَ لِي: يَا كُرَيْبُ قُمْ فَانْظُرْ هَلِ اجْتَمَعَ لِابْنِي أَحَدٌ؟ فَقُلْتُ: نَعَمْ. فَقَالَ: وَيْحَكَ كَمْ تَرَاهُمْ؟ أَرْبَعِينَ؟ قُلْتُ: لاَ. بَلْ هُمْ أَكْثَرُ. قَالَ: فَاخْرُجُوا بِابْنِي. فَأَشْهَدُ لَسَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَا مِنْ أَرْبَعِينَ مِنْ مُؤْمِنٍ يَشْفَعُونَ لِمُؤْمِنٍ إِلاَّ شَفَّعَهُمُ اللَّهُ**».

1490 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ مَرْثَدِ بْنِ عَبْدِ اللَّهِ الْيَزَنِيِّ، عَنْ مَالِكِ بْنِ هُبَيْرَةَ الشَّامِيِّ، وَكَانَتْ لَهُ صُحْبَةٌ، قَالَ: كَانَ إِذَا أُتِيَ بِجِنَازَةٍ، فَتَقَالَّ مَنْ تَبِعَهَا، جَزَّأَهُمْ ثَلاَثَةَ صُفُوفٍ، ثُمَّ صَلَّى عَلَيْهَا. وَقَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَا صَفَّ صُفُوفٌ ثَلاَثَةٌ مِنَ الْمُسْلِمِينَ عَلَى مَيِّتٍ إِلاَّ أَوْجَبَ**».

20 ـ بابُ ما جَاءَ في الثَّنَاءِ على المَيِّتِ

1491 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ ثَابِتٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: مُرَّ عَلَى النَّبِيِّ ﷺ بِجِنَازَةٍ فَأُثْنِيَ عَلَيْهَا خَيْراً، فَقَالَ: «**وَجَبَتْ**». ثُمَّ مُرَّ عَلَيْهِ بِجِنَازَةٍ، فَأُثْنِيَ عَلَيْهَا شَرًّا، فَقَالَ: «**وَجَبَتْ**» فَقِيلَ: يَا رَسُولَ اللَّهِ قُلْتَ لِهٰذِهِ وَجَبَتْ. وَلِهٰذِهِ وَجَبَتْ. فَقَالَ: «**شَهَادَةُ الْقَوْمِ. وَالْمُؤْمِنُونَ شُهُودُ اللَّهِ فِي الأَرْضِ**».

1492 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: مُرَّ عَلَى النَّبِيِّ ﷺ بِجِنَازَةٍ، فَأُثْنِيَ عَلَيْهَا خَيْراً، فِي مَنَاقِبِ الْخَيْرِ. فَقَالَ: «**وَجَبَتْ**». ثُمَّ مَرُّوا عَلَيْهِ بِأُخْرَى. فَأُثْنِيَ عَلَيْهَا شَرًّا، فِي مَنَاقِبِ الشَّرِّ. فَقَالَ: «**وَجَبَتْ. إِنَّكُمْ شُهَدَاءُ اللَّهِ فِي الأَرْضِ**».

be upon him" said: "It has been affirmed to him." Then another funeral procession passed and the people spoke badly of the deceased, and attributed the characteristics of evil to him. The Prophet "Allah's blessing and peace be upon him" said: "It has been affirmed to him. Of a surety, you are Allah's witnesses on the earth."

[21] Where Does The Imam Stand When He Offers Funeral Prayer

1493- It is narrated on the authority of Samurah Ibn Jundub that once the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer for a woman who died during the period of postpartum, and he stood facing the middle (part of the dead body).

1494- It is narrated on the authority of Abu Ghalib that he said: I saw Anas Ibn Malik having offered the funeral prayer for a man, and he stood by the head (of the dead body). Then, a bier of a woman was brought, and it was said to him: O Abu Hamzah! Do you (like to) offer funeral prayer for her? He stood facing the middle of the bier (and offered the prayer). On that Al-Ala' Ibn Ziyad said to him: O Abu Hamzah! Did you see the Messenger of Allah "Allah's blessing and peace be upon him" having stood in the same position you stood from the bier of the man, as well as he stood in the same position you stood from the bier of the woman? He answered in the affirmative and turned his face to us and then said: You should learn that!

[22] Reciting (In The Funeral Prayer) On The Dead Body

1495- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" recited (in the funeral prayer) Al-Fatihah on the dead body (of a person).

1496- It is narrated on the authority of Umm Sharik Al-Ansariyyah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" commanded us to recite the Opening of the Book (Al-Fatihah) on the dead body.

[23] The Supplication In The Funeral Prayer

1497- It is narrated on the authority of Abu Hurairah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When you offer funeral prayer on a dead, be sincere in your invocation (of good upon him)."

1498- It is narrated on the authority of Abu Hurairah that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer, he would invoke: "O Allah! Forgive for the living and the dead among us, the present and the absent among us, the old

21 ـ بابُ ما جَاءَ في أَيْنَ يَقُومُ الإِمَامُ إذا صَلَّى على الجِنَازَةِ

1493 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو أُسَامَةَ. قَالَ الْحُسَيْنُ بْنُ ذَكْوَانَ: أَخْبَرَنِي، عَنْ عَبْدِ اللَّهِ بْنِ بُرَيْدَةَ الأَسْلَمِيِّ، عَنْ سَمُرَةَ بْنِ جُنْدَبٍ الْفَزَارِيِّ؛ أَنَّ رَسُولَ اللَّهِ ﷺ صَلَّى عَلَى امْرَأَةٍ مَاتَتْ فِي نِفَاسِهَا. فَقَامَ وَسَطَهَا.

1494 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا سَعِيدُ بْنُ عَامِرٍ، عَنْ هُمَامٍ، عَنْ أَبِي غَالِبٍ؛ قَالَ: رَأَيْتُ أَنَسَ بْنَ مَالِكٍ صَلَّى عَلَى جِنَازَةِ رَجُلٍ. فَقَامَ حِيَالَ رَأْسِهِ. فَجِيءَ بِجِنَازَةٍ أُخْرَى، بِامْرَأَةٍ. فَقَالُوا: يَا أَبَا حَمْزَةَ صَلِّ عَلَيْهَا فَقَامَ حِيَالَ وَسَطِ السَّرِيرِ. فَقَالَ لَهُ الْعَلاَءُ بْنُ زِيَادٍ: يَا أَبَا حَمْزَةَ هٰكَذَا رَأَيْتَ رَسُولَ اللَّهِ ﷺ قَامَ مِنَ الْجِنَازَةِ مُقَامَكَ مِنَ الرَّجُلِ. وَقَامَ مِنَ الْمَرْأَةِ مُقَامَكَ مِنَ الْمَرْأَةِ؟ قَالَ: نَعَمْ. فَأَقْبَلَ عَلَيْنَا، فَقَالَ: احْفَظُوا.

22 ـ بابُ ما جَاءَ في القِرَاءَةِ على الجِنَازَةِ

1495 ـ **حدّثنا** أَحْمَدُ بْنُ مَنِيعٍ. حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ عُثْمَانَ، عَنِ الْحَكَمِ عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ قَرَأَ عَلَى الْجِنَازَةِ بِفَاتِحَةِ الْكِتَابِ.

1496 ـ **حدّثنا** عَمْرُو بْنُ أَبِي عَاصِمٍ، النَّبِيلُ، وَإِبْرَاهِيمُ بْنُ الْمُسْتَمِرِّ؛ قَالاَ: حَدَّثَنَا أَبُو عَاصِمٍ. حَدَّثَنَا حَمَّادُ بْنُ جَعْفَرٍ الْعَبْدِيُّ. حَدَّثَنِي شَهْرُ بْنُ حَوْشَبٍ. حَدَّثَتْنِي أُمُّ شَرِيكٍ الأَنْصَارِيَّةُ؛ قَالَتْ: أَمَرَنَا رَسُولُ اللَّهِ ﷺ أَنْ نَقْرَأَ عَلَى الْجِنَازَةِ بِفَاتِحَةِ الْكِتَابِ.

23 ـ بابُ ما جَاءَ في الدُّعَاءِ في الصَّلاةِ على الجِنَازَةِ

1497 ـ **حدّثنا** أَبُو عُبَيْدٍ، مُحَمَّدُ بْنُ عُبَيْدِ بْنِ مَيْمُونٍ الْمَدِينِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ الْحَرَّانِيُّ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ بْنِ الْحَارِثِ التَّيْمِيِّ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«إِذَا صَلَّيْتُمْ عَلَى الْمَيِّتِ فَأَخْلِصُوا لَهُ الدُّعَاءَ»**.

1498 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ، إِذَا صَلَّى عَلَى جِنَازَةٍ، يَقُولُ: **«اللَّهُمَّ اغْفِرْ لِحَيِّنَا وَمَيِّتِنَا، وَشَاهِدِنَا وَغَائِبِنَا، وَصَغِيرِنَا وَكَبِيرِنَا، وَذَكَرِنَا وَأُنْثَانَا. اللَّهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الإِسْلاَمِ. وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الإِيمَانِ. اللَّهُمَّ لاَ تَحْرِمْنَا أَجْرَهُ وَلاَ تُضِلَّنَا بَعْدَهُ»**.

and the young among us, and the male and the female among us. O Allah! Whomever you cause to live among us, make him live on Islam, and whomever You cause to die among us, cause him to die in (the state of) faith. O Allah! Do not deprive us of his reward, and do not let us go astray after him."

1499- It is narrated on the authority of Wathilah Ibn Al-Asqa' that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on one of the Muslims, during which I heard him saying: "O Allah! So and so, son of so and so, is now under Your Guardianship, sticking to the pledge of Your Shelter. So, protect him from the affliction of the grave and from the punishment of the fire (of Hell); and You are the most fitting for fulfillment (of Promise) and truth (of forgiveness): forgive him, and bestow mercy upon him: You are Oft-Forgiving, Most Merciful."

1500- It is narrated on the authority of Awf Ibn Malik that he said: I witnessed the Messenger of Allah "Allah's blessing and peace be upon him" having offered the funeral prayer on a man from the Ansar, during which I heard him saying: "O Allah! Send Your Blessing upon him, Forgive for him, bestow Your Mercy upon him, give him power, and excuse him; and wash him with (Your Mercy which acts as) water, snow and hailstones, and purify him from sins and mistakes in the same way as a white garment is cleansed from dirt; and recompense him with an abode, better than his (in the world), with a family , better than his (in the world); and save him from the affliction of the grave and the punishment of the fire (of Hell)." Malik Ibn Awf said: "While I was in this situation of mine, I hoped to have been in the place of this (dead) man."

1501- It is narrated on the authority of Jabir that he said: Neither did the Messenger of Allah "Allah's blessing and peace be upon him", nor Abu Bakr nor Umar give us permission in anything as they did concerning the funeral prayer (to supplicate with whatever supplications we liked, no matter long it would take us to do) i.e. they did not fix a limit of time (for supplication).

[24] Offering Four Takbirs On The Funeral (Prayer)

1502- It is narrated on the authority of Uthman Ibn Affan that the Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer on (the dead body of) Uthman Ibn Maz'un, and offered four Takbirs on him.

1499 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ. حَدَّثَنَا مَرْوانُ بن جناحٍ، حَدَّثَنِي يُونُسُ بْنَ مَيْسَرَةَ بْنِ حَلْبَسٍ، عَنْ وَاثِلَةَ بْنِ الأَسْقَعِ؛ قَالَ: صَلَّى رَسُولُ اللهِ ﷺ عَلَى رَجُلٍ مِنَ الْمُسْلِمِينَ فَأَسْمَعُهُ يَقُولُ «**اللَّهُمَّ! إِنَّ فُلاَنَ ابْنَ فُلاَنٍ فِي ذِمَّتِكَ، وَحَبْلِ جِوَارِكَ. فَقِهِ مِنْ فِتْنَةِ الْقَبْرِ وَعَذَابِ النَّارِ، وَأَنْتَ أَهْلُ الوَفَاءِ والحَقِّ، فَاغْفِرْ لَهُ وَارْحَمْهُ إِنَّكَ أَنْتَ الغَفُورُ الرَّحِيمُ**».

1500 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ. حَدَّثَنَا فَرَجُ بْنُ الْفَضَالَةِ. حَدَّثَنِي عِصْمَةُ بْنُ رَاشِدٍ، عَنْ حَبِيبِ بْنِ عُبَيْدٍ، عَنْ عَوْفِ بْنِ مَالِكٍ؛ قَالَ: شَهِدْتُ رَسُولَ اللَّهِ ﷺ صَلَّى عَلَى رَجُلٍ مِنَ الأَنْصَارِ. فَسَمِعْتُهُ يَقُولُ: «**اللَّهُمَّ صَلِّ عَلَيْهِ وَاغْفِرْ لَهُ وَارْحَمْهُ. وَعَافِهِ وَاعْفُ عَنْهُ. وَاغْسِلْهُ بِمَاءٍ وَثَلْجٍ وَبَرَدٍ. وَنَقِّهِ مِنَ الذُّنُوبِ وَالْخَطَايَا كَمَا يُنَقَّى الثَّوْبُ الأَبْيَضُ مِنَ الدَّنَسِ. وَأَبْدِلْهُ بِدَارِهِ دَاراً خَيْراً مِنْ دَارِهِ، وَأَهْلاً خَيْراً مِنْ أَهْلِهِ. وَقِهِ فِتْنَةَ الْقَبْرِ وَعَذَابَ النَّارِ**».

قَالَ عَوْفٌ: فَلَقَدْ رَأَيْتُنِي فِي مُقَامِي ذٰلِكَ أَتَمَنَّى أَنْ أَكُونَ مَكَانَ ذٰلِكَ الرَّجُلِ.

1501 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ حَجَّاجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ؛ قَالَ: مَا أَبَاحَ لَنَا رَسُولُ اللَّهِ ﷺ، وَلاَ أَبُو بَكْرٍ، وَلاَ عُمَرُ فِي شَيْءٍ مَا أَبَاحُوا فِي الصَّلاَةِ عَلَى الْمَيِّتِ. يَعْنِي لَمْ يُوَقِّتْ.

24 ـ بابُ ما جَاءَ في التَّكْبِيرِ على الجِنَازَةِ أَرْبَعاً

1502 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا الْمُغِيرَةُ بْنُ عَبْدِ الرَّحْمٰنِ. حَدَّثَنَا خَالِدُ بْنُ الإِيَاسِ، عَنْ إِسْمَاعِيلَ بْنِ عَمْرِو بْنِ سَعِيدِ بْنِ الْعَاصِ، عَنْ عُثْمَانَ بْنِ عَبْدِ اللَّهِ بْنِ الْحَكَمِ بْنِ الْحٰرِثِ، عَنْ عُثْمَانَ بْنِ عَفَّانَ؛ أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَى عُثْمَانَ بْنِ مَظْعُونٍ وَكَبَّرَ عَلَيْهِ أَرْبَعاً.

1503- It is narrated on the authority of Al-Hajari that he said: I offered the funeral prayer with Abdullah Ibn Abu Awfa Al-Aslami, a companion of the Messenger of Allah "Allah's blessing and peace be upon him", on (the dead body of) a daughter belonging to him. He offered four Takbirs on it, and waited for a short time after the fourth one, during which I heard the people glorifying (Allah) for him (i.e. to draw his attention) from the direction of the different rows. When he concluded with the end salutation, he said: "Have you thought I would offer five (Takbirs)?" they said: "We have feared so." He said: "I was not to do so. But the Messenger of Allah "Allah's blessing and peace be upon him" used to offer four (Takbirs in the funeral prayer) and wait a while after the fourth one, in order to say whatever Allah willed (him to say), and then he would say the salutation."

1504- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" offered four Takbirs (in the funeral prayer).

[25] Concerning Him Who Offers Five Takbirs

1505- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Laila that he said: It was the habit of Zaid Ibn Arqam to offer four Takbirs in our funeral (prayers), and once, he offered five Takbirs in a funeral (prayer), and when I asked him, he said that the Messenger of Allah "Allah's blessing and peace be upon him" offered that.

1506- It is narrated on the authority of Kathir Ibn Abdullah from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" offered five Takbirs (in the funeral prayer).

[26] Offering Funeral Prayer For The Child

1507- It is narrated on the authority of Al-Mughirah Ibn Shu'bah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "the funeral prayer should be offered for the child (when he dies)."

1508- It is narrated on the authority of Jabir Ibn Abdullah that he said: "When a child dies, a funeral prayer should be offered for him, and (in case he has property) it should be inherited."

1509- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Offer funeral prayer for your children (when they die) for they are your predecessors (in the Garden)."

1503 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ الْمُحَارِبِيُّ. حَدَّثَنَا الْهَجَرِيُّ؛ قَالَ: صَلَّيْتُ مَعَ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى الأَسْلَمِيِّ، صَاحِبِ رَسُولِ اللَّهِ ﷺ عَلَى جِنَازَةِ ابْنَةٍ لَهُ. فَكَبَّرَ عَلَيْهَا أَرْبَعاً. فَمَكَثَ بَعْدَ الرَّابِعَةِ شَيْئاً. قَالَ فَسَمِعْتُ الْقَوْمَ يُسَبِّحُونَ بِهِ مِنْ نَوَاحِي الصُّفُوفِ. فَسَلَّمَ ثُمَّ قَالَ: أَكُنْتُمْ تُرَوْنَ أَنِّي مُكَبِّرٌ خَمْساً؟ قَالُوا: تَخَوَّفْنَا ذٰلِكَ. قَالَ: لَمْ أَكُنْ لِأَفْعَلَ. وَلٰكِنْ رَسُولُ اللَّهِ ﷺ كَانَ يُكَبِّرُ أَرْبَعاً. ثُمَّ يَمْكُثُ سَاعَةً. فَيَقُولُ مَا شَاءَ اللَّهُ أَنْ يَقُولَ، ثُمَّ يُسَلِّمُ.

1504 ـ **حدّثنا** أَبُو هِشَامٍ الرِّفَاعِيُّ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ، وَأَبُو بَكْرِ بْنُ خَلاَّدٍ؛ قَالُوا: حَدَّثَنَا يَحْيَى بْنُ الْيَمَانِ، عَنِ الْمِنْهَالِ بْنِ خَلِيفَةَ، عَنْ حَجَّاجٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ كَبَّرَ أَرْبَعاً.

25 ـ بابُ ما جَاءَ فِيمَنْ كَبَّرَ خَمْساً

1505 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ. ح وَحَدَّثَنَا يَحْيَى بْنُ حَكِيمٍ. حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، وَأَبُو دَاوُدَ، عَنْ شُعْبَةَ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي لَيْلَى؛ قَالَ: كَانَ زَيْدُ بْنُ أَرْقَمَ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعاً. وَإِنَّهُ كَبَّرَ عَلَى جِنَازَةٍ خَمْساً. فَسَأَلْتُهُ، فَقَالَ: كَانَ رَسُولُ اللَّهِ ﷺ يُكَبِّرُهَا.

1506 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ عَلِيٍّ الرَّافِعِيُّ، عَنْ كَثِيرِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ كَبَّرَ خَمْساً.

26 ـ بابُ ما جَاءَ في الصَّلاةِ على الطِّفْلِ

1507 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ. قَالَ: حَدَّثَنَا سَعِيدُ بْنُ عُبَيْدِ اللَّهِ بْنِ جُبَيْرِ بْنِ حَيَّةَ. حَدَّثَنِي عَمِّي زِيَادُ بْنُ جُبَيْرٍ. حَدَّثَنِي أَبِي جُبَيْرُ بْنُ حَيَّةَ؛ أَنَّهُ سَمِعَ الْمُغِيرَةَ بْنَ شُعْبَةَ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الطِّفْلُ يُصَلَّى عَلَيْهِ**».

1508 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا الرَّبِيعُ بْنُ بَدْرٍ. حَدَّثَنَا أَبُو الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا اسْتَهَلَّ الصَّبِيُّ صُلِّيَ عَلَيْهِ وَوُرِثَ**».

1509 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا الْبَخْتَرِيُّ بْنُ عُبَيْدٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ النَّبِيُّ ﷺ: «**صَلُّوا عَلَى أَطْفَالِكُمْ فَإِنَّهُمْ مِنْ أَفْرَاطِكُمْ**».

[27] The Death Of, And Offering The Funeral Prayer For The Son Of The Messenger Of Allah

1510- It is narrated on the authority of Isma'il Ibn Abu Khalid that he said: I said to Abdullah Ibn Abu Awfa: Did you see Ibrahim, the son of the Messenger of Allah "Allah's blessing and peace be upon him"? He said: He died when he was a child; and had it been decreed that a Prophet should be after Muhammad "Allah's blessing and peace be upon him", surely, his son would have lived after him. But certainly, there is no Prophet after him (Muhammad the Seal of all the Prophets and Messengers).

1511- It is narrated on the authority of Ibn Abbas that he said: When Ibrahim, the son of the Messenger of Allah "Allah's blessing and peace be upon him" died, the Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer for him, and then he said: "No doubt, he has a foster suckling mother in the Garden; and had he lived, he would have been a man of truth, Prophet; and had he lived, I would have emancipated his maternal uncles from amongst the Copts, and None of the Copts would have been enslaved."

1512- It is narrated on the authority of Fatimah Bint Al-Husain from his father Al-Husain Ibn Ali that he said: When Al-Qasim, the son of the Messenger of Allah "Allah's blessing and peace be upon him" died, Khadijah (his mother) said: "O Messenger of Allah! The place of milk (in my breast) from which Al-Qasim used to suck is flowing with milk. Would that Allah caused him to stay alive until he would complete his sucking." The Messenger of Allah "Allah's blessing and peace be upon him" said: "He will complete his sucking in the Garden." She said: "If I am sure to know that, O Messenger of Allah, his (departure) will be made easy for me (to bear)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "If you like, I will invoke Allah Almighty to cause you hear his voice (in the Garden)." She said: "O Messenger of Allah! I trust Allah and His Messenger "Allah's blessing and peace be upon him"."

[28] Offering Funeral Prayer On And Burying Martyrs

1513- It is narrated on the authority of Ibn Abbas that he said: On the Day of (the holy battle of) Uhud, those (martyrs) were brought to the Messenger of Allah "Allah's blessing and peace be upon him", and he offered funeral prayers on them ten by ten, and Hamzah was kept in his place, while (every ten of) these would be lifted (for other ten to be brought to replace them), but he (Hamzah) remained in the same position (in which he was put at first).

27 ـ بابُ ما جَاءَ في الصَّلاةِ على ابْنِ رَسُولِ الله ﷺ وذِكْرِ وَفَاتِهِ

1510 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ أَبِي خَالِدٍ، قَالَ: قُلْتُ لِعَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى: رَأَيْتَ إِبْرَاهِيمَ ابْنَ رَسُولِ اللَّهِ ﷺ؟ قَالَ: مَاتَ وَهُوَ صَغِيرٌ. وَلَوْ قُضِيَ أَنْ يَكُونَ بَعْدَ مُحَمَّدٍ ﷺ نَبِيٌّ لَعَاشَ ابْنُهُ. وَلٰكِنْ لاَ نَبِيَّ بَعْدَهُ.

1511 ـ **حدّثنا** عَبْدُ الْقُدُّوسِ بْنُ مُحَمَّدٍ. حَدَّثَنَا دَاوُدُ بْنُ شَبِيبٍ الْبَاهِلِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ عُثْمَانَ. حَدَّثَنَا الْحَكَمُ بْنُ عُتَيْبَةَ، عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: لَمَّا مَاتَ إِبْرَاهِيمُ ابْنُ رَسُولِ اللَّهِ ﷺ صَلَّى رَسُولُ اللَّهِ ﷺ وَقَالَ: **«إِنَّ لَهُ مُرْضِعاً فِي الْجَنَّةِ. وَلَوْ عَاشَ لَكَانَ صِدِّيقاً نَبِيًّا. وَلَوْ عَاشَ لَعَتَقَتْ أَخْوَالُهُ الْقِبْطُ، وَمَا اسْتُرِقَّ قِبْطِيٌّ»**.

1512 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ عِمْرَانَ. حَدَّثَنَا أَبُو دَاوُدَ. حَدَّثَنَا هِشَامُ بْنُ أَبِي الْوَلِيدِ، عَنْ أُمِّهِ، عَنْ فَاطِمَةَ بِنْتِ الْحُسَيْنِ، عَنْ أَبِيهَا الْحُسَيْنِ بْنِ عَلِيٍّ؛ قَالَ: لَمَّا تُوُفِّيَ الْقَاسِمُ ابْنُ رَسُولِ اللَّهِ ﷺ قَالَتْ خَدِيجَةُ: يَا رَسُولَ اللَّهِ دَرَّتْ لُبَيْنَةُ الْقَاسِمِ. فَلَوْ كَانَ اللَّهُ أَبْقَاهُ حَتَّى يَسْتَكْمِلَ رَضَاعَهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ إِتْمَامَ رَضَاعِهِ فِي الْجَنَّةِ»** قَالَتْ: لَوْ أَعْلَمُ ذٰلِكَ يَا رَسُولَ اللَّهِ لَهَوَّنَ عَلَيَّ أَمْرَهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«إِنْ شِئْتِ دَعَوْتُ اللَّهَ تَعَالَى فَأَسْمَعَكِ صَوْتَهُ»** قَالَتْ: يَا رَسُولَ اللَّهِ بَلْ أُصَدِّقُ اللَّهَ وَرَسُولَهُ.

28 ـ بابُ ما جَاءَ في الصَّلاةِ على الشُّهَدَاءِ ودَفْنِهِمْ

1513 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ يَزِيدَ بْنِ أَبِي زِيَادٍ، عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: أُتِيَ بِهِمْ رَسُولَ اللَّهِ ﷺ يَوْمَ أُحُدٍ. فَجَعَلَ يُصَلِّي عَلَى عَشَرَةٍ عَشَرَةٍ. وَحَمْزَةُ هُوَ كَمَا هُوَ. يُرْفَعُونَ وَهُوَ كَمَا هُوَ مَوْضُوعٌ.

Comment: (Thus, the Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer on Hamzah so many times, as much as the number of the martyrs for whom he offered funeral prayers by tens.)

1514- It is narrated on the authority of Jabir Ibn Abdullah: The Prophet "Allah's blessing and peace be upon him" collected every two martyrs of Uhud in one grave (or one piece of cloth), and asked: "Which of them had more of the Qur'an?" When one of them was pointed out for him, he would put that one first in the grave and say: "I will be a witness on these (on the Day of Judgement)." He ordered that they be buried with the blood on their bodies. They were not washed nor was a funeral prayer offered for them.

1515- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered that the martyrs of (the holy battle of) Uhud should be deprived of their armours and the leather (they put on to save them from the scorching cold), and to be buried in their clothes with their blood.

1516- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered that the martyrs of (the holy battle of) Uhud should be restored to (be buried in) the places where they died (in the battlefield) after they had been taken to Medina.

[29] Offering Funeral Prayer On The Dead In The Mosque

1517- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who offers funeral prayer on a dead in the mosque will receive nothing" (of the superiority given to such as does outside the mosque, even though he will have the reward of the prayer as it is valid).

1518- It is narrated on the authority of A'ishah that she said: By Allah! the Messenger of Allah "Allah's blessing and peace be upon him" did not offer the funeral prayer for Suhail Ibn Baida' but in the mosque. (Ibn Majah says: the narration of A'ishah is more reliable).

[30] Concerning The Times At Which It Is Undesirable To Offer Funeral Prayer Or Bury A Dead

1519- It is narrated on the authority of Uqbah Ibn Amir Al-Juhani that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to offer funeral prayer or bury our dead persons in three hours (of the day): before the sun rises clearly, when the shadow seems standing

1514 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ كَعْبِ بْنِ مَالِكٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَجْمَعُ بَيْنَ الرَّجُلَيْنِ وَالثَّلاَثَةِ مِنْ قَتْلَى أُحُدٍ فِي ثَوْبٍ وَاحِدٍ ثُمَّ يَقُولُ: **«أَيُّهُمْ أَكْثَرُ أَخْذاً لِلْقُرْآنِ؟»** فَإِذَا أُشِيرَ لَهُ إِلَى أَحَدِهِمْ قَدَّمَهُ فِي اللَّحْدِ وَقَالَ: **«أَنَا شَهِيدٌ عَلَى هٰؤُلاَءِ»** وَأَمَرَ بِدَفْنِهِمْ فِي دِمَائِهِمْ، وَلَمْ يُصَلِّ عَلَيْهِمْ، وَلَمْ يُغَسَّلُوا.

1515 ـ **حدّثنا** مُحَمَّدُ بْنُ زِيَادٍ. حَدَّثَنَا عَلِيُّ بْنُ عَاصِمٍ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَ بِقَتْلَى أُحُدٍ أَنْ يُنْزَعَ عَنْهُمُ الْحَدِيدُ وَالْجُلُودُ، وَأَنْ يُدْفَنُوا فِي ثِيَابِهِمْ بِدِمَائِهِمْ.

1516 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَسَهْلُ بْنُ أَبِي سَهْلٍ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الأَسْوَدِ بْنِ قَيْسٍ، سَمِعَ نُبَيْحاً الْعَنَزِيَّ؛ يَقُولُ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: إِنَّ رَسُولَ اللَّهِ ﷺ أَمَرَ بِقَتْلَى أُحُدٍ أَنْ يُرَدُّوا إِلَى مَصَارِعِهِمْ. وَكَانُوا نُقِلُوا إِلَى الْمَدِينَةِ.

29 ـ بابُ ما جَاءَ في الصَّلاةِ على الجَنَائِزِ في المَسْجِدِ

1517 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، حَدَّثَنَا وَكِيعٌ عَنْ ابْنِ أَبِي ذِئْبٍ، عَنْ صَالِحٍ مَوْلَى التَّوْأَمَةِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ الله ﷺ **«مَنْ صَلَّى عَلَى جَنَازَةٍ فِي الْمَسْجِدِ، فَلَيْسَ لَهُ شَيْءٌ»**.

1518 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يُونُسُ بْنُ مُحَمَّدٍ. حَدَّثَنَا فُلَيْحُ بْنُ سُلَيْمَانَ عَنْ صَالِحِ بْنِ عَجْلاَنَ، عَنْ عَبَّادِ بْنِ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ؛ قَالَتْ: وَاللَّهِ مَا صَلَّى رَسُولُ اللَّهِ ﷺ عَلَى سُهَيْلِ ابْنِ بَيْضَاءَ إِلاَّ فِي الْمَسْجِدِ.

قَالَ ابْنُ مَاجَةَ: حَدِيثُ عَائِشَةَ أَقْوَى.

30 ـ بابُ ما جَاءَ في الأَوْقَاتِ التي لا يُصَلَّى فيها على المَيِّتِ ولا يُدْفَنُ

1519 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. ح وَحَدَّثَنَا عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ، جَمِيعاً، عَنْ مُوسَى بْنِ عَلِيِّ بْنِ رَبَاحٍ؛ قَالَ: سَمِعْتُ أَبِي يَقُولُ: سَمِعْتُ عُقْبَةَ بْنَ عَامِرٍ الْجُهَنِيَّ يَقُولُ: ثَلاَثُ سَاعَاتٍ كَانَ رَسُولُ اللَّهِ ﷺ يَنْهَانَا أَنْ نُصَلِّيَ فِيهِنَّ أَوْ نَقْبُرَ فِيهِنَّ مَوْتَانَا حِينَ تَطْلُعُ الشَّمْسُ بَازِغَةً، وَحِينَ يَقُومُ قَائِمُ الظَّهِيرَةِ حَتَّى تَمِيلَ الشَّمْسُ، وَحِينَ تَضَيَّفُ لِلْغُرُوبِ حَتَّى تَغْرُبَ.

at noon (i.e. when the sun becomes in the middle of the sky) until it passes the meridian, and when it (the sun) inclines to set until it sets (completely).

1520- It is narrated on the authority of Ibn Abbas that once the Prophet "Allah's blessing and peace be upon him" interred a man into his grave at night, and he lighted up a lamp in it (to do away with darkness).

1521- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not bury your dead at night unless you are forced by necessity."

1522- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "You could offer funeral prayer for your dead at night or by day."

[31] Offering Funeral Prayer On Those Of The Qiblah

1523- It is narrated on the authority of Ibn Umar that he said: When Abdullah Ibn Ubai (the chief of the hypocrites in Medina) died, his son (Al-Hubab, a faithful believer) came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Give me your shirt, so that I would shroud him in it." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Notify me (when the dead body is ready)." When the Messenger of Allah "Allah's blessing and peace be upon him" intended to offer the funeral prayer for him Umar Ibn Al-Khattab said to him: "It is not up to you (to offer funeral prayer on him since you were forbidden by Allah)." But the Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer for him and said (to Umar): "I've been given the freedom to choose one of two things: to ask for (Allah's) Forgiveness for them or not to ask for forgiveness for them." Then, Allah Almighty revealed: " Nor do you ever pray for any of them that dies, nor stand at his grave; for they rejected Allah and His Messenger, and died in a state of perverse rebellion." (At-Tawbah 84)

1524- It is narrated on the authority of Jabir that he said: The head of the hypocrites in Medina (Abdullah Ibn Ubai Ibn Salul) died, and he had recommended that the Messenger of Allah "Allah's blessing and peace be upon him" should offer funeral prayer for him, and shroud him in his (the Prophet's) shirt. The Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer for him, and shrouded him in his shirt, and further stood at his grave, thereupon Allah Almighty revealed: " Nor do you ever pray for any of them that dies, nor stand at his grave; for they rejected Allah and His Messenger, and died in a state of perverse rebellion." (At-Tawbah 84)

1520 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا يَحْيَىٰ بْنُ الْيَمَانِ، عَنْ مِنْهَالِ بْنِ خَلِيفَةَ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَدْخَلَ رَجُلاً قَبْرَهُ لَيْلاً، وَأَسْرَجَ فِي قَبْرِهِ.

1521 ـ **حدّثنا** عَمْرُو بْنُ عَبْدِ اللَّهِ الأَوْدِيُّ. حَدَّثَنَا وَكِيعٌ، عَنْ إِبْرَاهِيمَ بْنِ يَزِيدَ الْمَكِّيِّ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَدْفِنُوا مَوْتَاكُمْ بِاللَّيْلِ إِلاَّ أَنْ تُضْطَرُّوا»**.

1522 ـ **حدّثنا** الْعَبَّاسُ بْنُ عُثْمَانَ الدِّمَشْقِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ، عَنِ ابْنِ لَهِيعَةَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«صَلُّوا عَلَى مَوْتَاكُمْ بِاللَّيْلِ وَالنَّهَارِ»**.

31 ـ بابٌ في الصَّلاةِ على أَهْلِ القِبْلَةِ

1523 ـ **حدّثنا** أَبُو بِشْرٍ، بَكْرُ بْنُ خَلَفٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ عُبَيْدِ اللَّهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: لَمَّا تُوُفِّيَ عَبْدُ اللَّهِ بْنُ أُبَيٍّ جَاءَ ابْنُهُ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ أَعْطِنِي قَمِيصَكَ أُكَفِّنْهُ فِيهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«آذِنُونِي بِهِ»** فَلَمَّا أَرَادَ النَّبِيُّ ﷺ أَنْ يُصَلِّيَ عَلَيْهِ قَالَ لَهُ عُمَرُ بْنُ الْخَطَّابِ: مَا ذَاكَ لَكَ. فَصَلَّى عَلَيْهِ النَّبِيُّ ﷺ. فَقَالَ لَهُ النَّبِيُّ ﷺ: **«أَنَا بَيْنَ خِيَرَتَيْنِ: ﴿اسْتَغْفِرْ لَهُمْ أَوْ لَا تَسْتَغْفِرْ لَهُمْ﴾»**. فَأَنْزَلَ اللَّهُ سُبْحَانَهُ: ﴿وَلَا تُصَلِّ عَلَىٰٓ أَحَدٍ مِّنْهُم مَّاتَ أَبَدًا وَلَا تَقُمْ عَلَىٰ قَبْرِهِۦٓ﴾ [التوبة: 84].

1524 ـ **حدّثنا** عَمَّارُ بْنُ خَالِدٍ الْوَاسِطِيُّ، وَسَهْلُ بْنُ أَبِي سَهْلٍ. قَالاَ: حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ مُجَالِدٍ، عَنْ عَامِرٍ، عَنْ جَابِرٍ؛ قَالَ: مَاتَ رَأْسُ الْمُنَافِقِينَ بِالْمَدِينَةِ. وَأَوْصَى أَنْ يُصَلِّيَ عَلَيْهِ النَّبِيُّ ﷺ. وَأَنْ يُكَفِّنَهُ فِي قَمِيصِهِ. فَصَلَّى عَلَيْهِ وَكَفَّنَهُ فِي قَمِيصِهِ وَقَامَ عَلَى قَبْرِهِ. فَأَنْزَلَ اللَّهُ: ﴿وَلَا تُصَلِّ عَلَىٰٓ أَحَدٍ مِّنْهُم مَّاتَ أَبَدًا وَلَا تَقُمْ عَلَىٰ قَبْرِهِۦٓ﴾.

1525- It is narrated on the authority of Wathilah Ibn Al-Asqa' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "You should offer funeral prayer for everyone (of the Muslims) and strive your utmost (with main and might in the Cause of Allah) beside every governor (whose purpose is to have Allah's Word prevail)."

1526- It is narrated on the authority of Jabir Ibn Samurah that a man from amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him" was wounded, and when his injury harmed him, he went to some blades therewith he slew himself. So, the Messenger of Allah "Allah's blessing and peace be upon him" did not offer funeral prayer on him; and this was out of punishment for what he did.

[32] Offering Funeral Prayer On The Grave

1527- It is narrated on the authority of Abu Hurairah that a black woman used to clean the mosque, and the Messenger of Allah "Allah's blessing and peace be upon him" missed her and when he asked about her many days later, he was told that she had died. On that he said: "Why did you not inform me (of her death, in order to offer funeral prayer for her)?" he then came to her grave and offered the funeral prayer for her.

1528- It is narrated on the authority of Yazid Ibn Thabit, the older brother of Zaid Ibn Thabit that he said: We set out with the Messenger of Allah "Allah's blessing and peace be upon him", and when he reached Baqi' he saw a new grave; and when he asked about it, it was said to him: "It is (the grave of) such and such a woman." He recognized her and said: "Why did you not inform me of her death?" they said: "We found that you were fasting, having your siesta, and we disliked to harm you." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not do so once again! I would not (like to) know that anyone among you died but that you should inform me of his death as long as I live among you: no doubt, my prayer for such is a source of mercy for him." Then, he came to the grave, made us align behind him, and offered (the funeral prayer with) four Takbirs on it.

1529- It is narrated on the authority of Abdullah Ibn Amir Ibn Rabie'ah from his father that a black woman died, and the Messenger of Allah "Allah's blessing and peace be upon him" was not informed of her death. When he was told about that (later), he said: "Why did you not inform me of her death?" then, he commanded his companions to align on (the grave of) her, and he led the funeral prayer for her.

1525 ـ **حدّثنا** أَحْمَدُ بْنُ يُوسُفَ السُّلَمِيُّ. حَدَّثَنَا مُسْلِمُ بْنُ إِبْرَاهِيمَ. حَدَّثَنَا الْحَرِثُ بْنُ نَبْهَانَ. حَدَّثَنَا عُتْبَةُ بْنُ يَقْظَانَ، عَنْ أَبِي سَعِيدٍ، عَنْ مَكْحُولٍ، عَنْ وَاثِلَةَ بْنِ الأَسْقَعِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**صَلُّوا عَلَى كُلِّ مَيْتٍ. وَجَاهِدُوا مَعَ كُلِّ أَمِيرٍ**».

1526 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ عَامِرِ بْنِ زُرَارَةَ. حَدَّثَنَا شَرِيكُ بْنُ عَبْدِ اللَّهِ، عَنْ سِمَاكِ بْنِ حَرْبٍ، عَنْ جَابِرِ بْنِ سَمُرَةَ؛ أَنَّ رَجُلاً مِنْ أَصْحَابِ النَّبِيِّ ﷺ جُرِحَ، فَآذَتْهُ الْجِرَاحَةُ. فَدَبَّ إِلَى مَشَاقِصَ، فَذَبَحَ بِهَا نَفْسَهُ. فَلَمْ يُصَلِّ عَلَيْهِ النَّبِيُّ ﷺ. قَالَ: وَكَانَ ذٰلِكَ مِنْهُ أَدَباً.

32 ـ بابُ ما جَاءَ في الصَّلاةِ على القَبْرِ

1527 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنَا ثَابِتٌ، عَنْ أَبِي رَافِعٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ امْرَأَةً سَوْدَاءَ كَانَتْ تَقُمُّ الْمَسْجِدَ. فَفَقَدَهَا رَسُولُ اللَّهِ ﷺ. فَسَأَلَ عَنْهَا بَعْدَ أَيَّامٍ. فَقِيلَ لَهُ: إِنَّهَا مَاتَتْ. قَالَ: «**فَهَلاَّ آذَنْتُمُونِي!؟**» فَأَتَى قَبْرَهَا، فَصَلَّى عَلَيْهَا.

1528 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا هُشَيْمٌ. حَدَّثَنَا عُثْمَانُ بْنُ حَكِيمٍ. حَدَّثَنَا خَارِجَةُ بْنُ زَيْدِ بْنِ ثَابِتٍ، عَنْ يَزِيدَ بْنِ ثَابِتٍ، وَكَانَ أَكْبَرَ مِنْ زَيْدٍ. قَالَ: خَرَجْنَا مَعَ النَّبِيِّ ﷺ. فَلَمَّا وَرَدَ الْبَقِيعَ فَإِذَا هُوَ بِقَبْرٍ جَدِيدٍ. فَسَأَلَ عَنْهُ. فَقَالُوا: فُلاَنَةُ. قَالَ فَعَرَفَهَا وَقَالَ: «**أَلاَ آذَنْتُمُونِي بِهَا؟**» قَالُوا: كُنْتَ قَائِلاً صَائِماً. فَكَرِهْنَا أَنْ نُؤْذِيَكَ. قَالَ: «**فَلاَ تَفْعَلُوا. لاَ أَعْرِفَنَّ مَا مَاتَ مِنْكُمْ مَيْتٌ، مَا كُنْتُ بَيْنَ أَظْهُرِكُمْ، إِلاَّ آذَنْتُمُونِي بِهِ. فَإِنَّ صَلاَتِي عَلَيْهِ لَهُ رَحْمَةٌ**» ثُمَّ أَتَى الْقَبْرَ، فَصَفَفْنَا خَلْفَهُ، فَكَبَّرَ عَلَيْهِ أَرْبَعاً.

1529 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ الدَّرَاوَرْدِيُّ، عَنْ مُحَمَّدِ بْنِ زَيْدِ بْنِ الْمُهَاجِرِ بْنِ قُنْفُذٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ، عَنْ أَبِيهِ؛ أَنَّ امْرَأَةً سَوْدَاءَ مَاتَتْ لَمْ يُؤْذَنْ بِهَا النَّبِيُّ ﷺ. فَأُخْبِرَ بِذٰلِكَ. فَقَالَ: «**هَلاَّ آذَنْتُمُونِي بِهَا!؟**» ثُمَّ قَالَ: لِأَصْحَابِهِ: «**صُفُّوا عَلَيْهَا**» فَصَلَّى عَلَيْهَا.

1530- It is narrated on the authority of Ibn Abbas that he said: A man, whom the Messenger of Allah "Allah's blessing and peace be upon him" used to visit (and ask about his health since he was fatally ill) died at night; and they buried his dead body (without telling the Messenger of Allah "Allah's blessing and peace be upon him"). When it was the morning, they informed him, thereupon he asked them: "What prevented you from telling me (of his death)?" they said: "It was night, and it was darkness, and we disliked to put you to difficulty." But he (the Prophet) came to his grave and funeral prayer on it.

1531- It is narrated on the authority of Anas Ibn Malik that once, the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on the grave (of a dead one) after he had been buried.

1532- It is narrated on the authority of Ibn Buraidah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on (the grave of) a dead one after he had been buried.

1533- It is narrated on the authority of Abu Sa'id that he said: A black woman used to take care of the mosque, and she died at night (and was buried). When it was morning, the Messenger of Allah "Allah's blessing and peace be upon him" was told of that, thereupon he said: "Why did you not inform me of her death?" he set out with his companions, stood at her grave, offered (funeral prayer in which he said) four Takbirs, with the people behind him, and invoked good for her. Then, he turned away.

[33] Offering Funeral Prayer For The Negus

1534- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The Negus died." The Messenger of Allah "Allah's blessing and peace be upon him" set out with his companions to Baqi' and he made us align behind him. Then, the Messenger of Allah "Allah's blessing and peace be upon him" moved forward, and (offered funeral prayer for him, in which he) said four Takbirs.

1535- It is narrated on the authority of Imran Ibn Al-Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Your brother (in the religion of Allah) the Negus died: so, you should offer funeral prayer for him." He (the Prophet) stood up and we offered prayer behind him; and I was in the second row; and (they aligned in) two rows to offer funeral prayer for him (the Negus).

1530 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ أَبِي إِسْحَاقَ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: مَاتَ رَجُلٌ. وَكَانَ رَسُولُ اللَّهِ ﷺ يَعُودُهُ. فَدَفَنُوهُ بِاللَّيْلِ. فَلَمَّا أَصْبَحَ أَعْلَمُوهُ. فَقَالَ: «**مَا مَنَعَكُمْ أَنْ تُعْلِمُونِي؟**» قَالُوا: كَانَ اللَّيْلُ. وَكَانَتِ الظُّلْمَةُ. فَكَرِهْنَا أَنْ نَشُقَّ عَلَيْكَ. فَأَتَى قَبْرَهُ، فَصَلَّى عَلَيْهِ.

1531 ـ **حدّثنا** الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ، وَمُحَمَّدُ بْنُ يَحْيَىٰ. قَالاَ: حَدَّثَنَا أَحْمَدُ بْنُ حَنْبَلٍ. حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ حَبِيبِ بْنِ الشَّهِيدِ، عَنْ ثَابِتٍ، عَنْ أَنَسٍ؛ أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَى قَبْرٍ بَعْدَمَا قُبِرَ.

1532 ـ **حدّثنا** مُحَمَّدُ بْنُ حُمَيْدٍ. حَدَّثَنَا مِهْرَانُ بْنُ أَبِي عُمَرَ، عَنْ أَبِي سِنَانٍ، عَنْ عَلْقَمَةَ ابْنِ مَرْثَدٍ، عَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَى مَيِّتٍ بَعْدَمَا دُفِنَ.

1533 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا سَعِيدُ بْنُ شُرَحْبِيلَ، عَنِ ابْنِ لَهِيعَةَ، عَنْ عُبَيْدِ اللَّهِ بْنِ الْمُغِيرَةِ، عَنْ أَبِي الْهَيْثَمِ، عَنْ أَبِي سَعِيدٍ؛ قَالَ: كَانَتْ سَوْدَاءُ تَقُمُّ الْمَسْجِدِ. فَتُوُفِّيَتْ لَيْلاً. فَلَمَّا أَصْبَحَ رَسُولُ اللَّهِ ﷺ أُخْبِرَ بِمَوْتِهَا. فَقَالَ: «**أَلاَ آذَنْتُمُونِي بِهَا؟**» فَخَرَجَ بِأَصْحَابِهِ، فَوَقَفَ عَلَى قَبْرِهَا، فَكَبَّرَ عَلَيْهَا وَالنَّاسُ مِنْ خَلْفِهِ، وَدَعَا لَهَا، ثُمَّ انْصَرَفَ.

33 ـ بابُ ما جَاءَ في الصَّلاةِ على النَّجَاشِيِّ

1534 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الأَعْلَىٰ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِنَّ النَّجَاشِيَّ قَدْ مَاتَ**» فَخَرَجَ رَسُولُ اللَّهِ ﷺ وَأَصْحَابُهُ إِلَى الْبَقِيعِ. فَصَفَّنَا خَلْفَهُ. وَتَقَدَّمَ رَسُولُ اللَّهِ ﷺ، فَكَبَّرَ أَرْبَعَ تَكْبِيرَاتٍ.

1535 ـ **حدّثنا** يَحْيَىٰ بْنُ خَلَفٍ، وَمُحَمَّدُ بْنُ زِيَادٍ. قَالاَ: حَدَّثَنَا بِشْرُ بْنُ الْمُفَضَّلِ. ح وَحَدَّثَنَا عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا هُشَيْمٌ، جَمِيعاً عَنْ يُونُسَ، عَنْ أَبِي قِلاَبَةَ، عَنْ أَبِي الْمُهَلَّبِ، عَنْ عِمْرَانَ بْنِ الْحُصَيْنِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِنَّ أَخَاكُمُ النَّجَاشِيَّ قَدْ مَاتَ، فَصَلُّوا عَلَيْهِ**» قَالَ فَقَامَ فَصَلَّيْنَا خَلْفَهُ. وَإِنِّي لَفِي الصَّفِّ الثَّانِي. فَصَلَّى عَلَيْهِ صَفَّيْنِ.

1536- It is narrated on the authority of Mujammi' Ibn Jariyah Al-Ansari that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Your brother (in the religion of Allah) the Negus died: so, stand and offer funeral prayer for him." He made us align in two rows (and we offered funeral prayer) behind him.

1537- It is narrated on the authority of Hudhaifah Ibn Asid that the Messenger of Allah "Allah's blessing and peace be upon him" set out with them (his companions to the praying place) and said to them: "Offer the funeral prayer for a brother of yours (in the religion of Allah) who died in a land which is not yours." They said: "Who is that?" he said: "The Negus."

1538- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer for the Negus with four Takbirs.

[34] The Reward Of Such As Offers The Funeral Prayer For A Dead, And Waits To Be Buried

1539- It is narrated on the authority of Abu Hurairah: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who offers funeral prayer on a dead will have a (reward equal to) one Qirat; and whoever waits till the burial ceremonies are over, will receive (a reward equal to) two Qirats." They asked: "What are the two Qirats?" he said: "They are as huge as two Mountains."

1540- It is narrated on the authority of Thawban: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who offers funeral prayer on a dead will have a (reward equal to) one Qirat; and whoever attends the burial ceremonies will receive (a reward equal to) two Qirats." The Messenger of Allah "Allah's blessing and peace be upon him" was asked about the Qirat; and he said: "It is as huge as (the mountain of) Uhud."

1541- It is narrated on the authority of Ubai Ibn Ka'b: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who offers funeral prayer on a dead will have a (reward equal to) one Qirat; and whoever waits until the burial ceremonies are over will receive (a reward equal to) two Qirats. By Him, in Whose Hand is my soul! A single Qirat (From the Presence of Allah) is more huge than this (mountain of) Uhud."

[35] Standing (In Reverence) For The Funeral Procession

1542- It is narrated on the authority of Amir Ibn Rabie'ah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When

1536 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُعَاوِيَةُ بْنُ هِشَامٍ. حَدَّثَنَا سُفْيَانُ، عَنْ حِمْرَانَ بْنِ أَعْيَنَ، عَنْ أَبِي الطُّفَيْلِ، عَنْ مُجَمِّعِ بْنِ جَارِيَةَ الأَنْصَارِيِّ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِنَّ أَخَاكُمُ النَّجَاشِيَّ قَدْ مَاتَ. فَقُومُوا فَصَلُّوا عَلَيْهِ**» فَصَفَّنَا خَلْفَهُ صَفَّيْنِ.

1537 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُثَنَّى. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ، عَنِ الْمُثَنَّى بْنِ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ أَبِي الطُّفَيْلِ، عَنْ حُذَيْفَةَ بْنِ أَسِيدٍ؛ أَنَّ النَّبِيَّ ﷺ خَرَجَ بِهِمْ فَقَالَ: «**صَلُّوا عَلَى أَخٍ لَكُمْ مَاتَ بِغَيْرِ أَرْضِكُمْ**» قَالُوا: مَنْ هُوَ؟ قَالَ: «**النَّجَاشِيُّ**».

1538 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا مَكِّيُّ بْنُ إِبْرَاهِيمَ أَبُو السَّكَنِ، عَنْ مَالِكٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَى النَّجَاشِيِّ، فَكَبَّرَ أَرْبَعاً.

34 ـ بابُ ما جَاءَ في ثَوَابِ مَنْ صَلَّى على جِنَازَةٍ ومَنِ انْتَظَرَ دَفْنَهَا

1539 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ صَلَّى عَلَى جِنَازَةٍ فَلَهُ قِيرَاطٌ. وَمَنِ انْتَظَرَ حَتَّى يُفْرَغَ مِنْهَا فَلَهُ قِيرَاطَانِ**» قَالُوا: وَمَا الْقِيرَاطَانِ؟ قَالَ: «**مِثْلُ الْجَبَلَيْنِ**».

1540 ـ **حدّثنا** حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا خَالِدُ بْنُ الْحٰرِثِ. حَدَّثَنَا سَعِيدٌ، عَنْ قَتَادَةَ. حَدَّثَنِي سَالِمُ بْنُ أَبِي الْجَعْدِ، عَنْ مَعْدَانَ بْنِ أَبِي طَلْحَةَ، عَنْ ثَوْبَانَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ صَلَّى عَلَى جِنَازَةٍ فَلَهُ قِيرَاطٌ. وَمَنْ شَهِدَ دَفْنَهَا فَلَهُ قِيرَاطَانِ**» قَالَ: فَسُئِلَ النَّبِيُّ ﷺ عَنِ الْقِيرَاطِ؟ فَقَالَ: «**مِثْلُ أُحُدٍ**».

1541 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ الْمُحَارِبِيُّ، عَنْ حَجَّاجِ بْنِ أَرْطَاةَ، عَنْ عَدِيِّ بْنِ ثَابِتٍ، عَنْ زِرِّ بْنِ حُبَيْشٍ، عَنْ أُبَيِّ بْنِ كَعْبٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ صَلَّى عَلَى جِنَازَةٍ فَلَهُ قِيرَاطٌ. وَمَنْ شَهِدَهَا حَتَّى تُدْفَنَ فَلَهُ قِيرَاطَانِ. وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ الْقِيرَاطُ أَعْظَمُ مِنْ أُحُدِ هٰذَا**».

35 ـ بابُ ما جَاءَ في القِيَامِ للجِنَازَةِ

1542 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنْ عَامِرِ بْنِ رَبِيعَةَ، عَنِ النَّبِيِّ ﷺ. ح وَحَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ، عَنْ عَامِرِ بْنِ رَبِيعَةَ، سَمِعَهُ يُحَدِّثُ عَنِ النَّبِيِّ ﷺ قَالَ: «**إِذَا رَأَيْتُمُ الْجِنَازَةَ فَقُومُوا لَهَا حَتَّى تُخَلِّفَكُمْ أَوْ تُوضَعَ**».

you see a funeral procession, stand up for it until it leaves you behind it, or it is lifted."

1543- It is narrated on the authority of Abu Hurairah that he said: A funeral procession came upon the Messenger of Allah "Allah's blessing and peace be upon him", who stood up and said (to his companions): "Stand up for indeed, death has its reverence (which should be observed)."

1544- It is narrated on the authority of Ali that once the Messenger of Allah "Allah's blessing and peace be upon him" stood up (in reverence) for a funeral procession, and we stood after him; and we kept (sticking to the habit of) standing until he (left that and) used to sit, and we sat after him.

1545- It is narrated on the authority of Ubadah Ibn As-Samit that he said: It was the habit of the Messenger of Allah "Allah's blessing and peace be upon him" (at first) that whenever he followed a funeral procession, he would not sit before it would be placed in the grave; and (he kept doing so) until he met one of the (Jewish) rabbis, who said to him: "We (Jews) also do so, O Muhammad." Then, the Messenger of Allah "Allah's blessing and peace be upon him" (left that habit and) rather used to sit, and he said (to his companions): "Oppose (the conduct of) those (Jews)."

[36] What Is Said When They Enter The Graves

1546- It is narrated on the authority of A'ishah that she said: I missed the Messenger of Allah "Allah's blessing and peace be upon him", and behold! He was in Baqi'. He said (addressing those of the graves): "Peace be upon you, (in the) abode of believing people! You are our predecessors and we are going to join you. O Allah! Do not deprive us of their reward, and do not put us to trial after them."

1547- It is narrated on the authority of Sulaiman Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to teach them (what to say) when they set out to the graves. They would say: "Peace be upon you, the inhabitants of those abodes from amongst the faithful believers and Muslims! We are, Allah Willing, going to join you: we ask Allah (to grant) you and us forgiveness and power."

[37] Sitting In The Graves

1548- It is narrated on the authority of Al-Bara Ibn Azib that he said: Once, we set out with the Messenger of Allah "Allah's blessing and peace be upon him" (to follow) a funeral procession, and (when we entered the courtyard of the grave) he sat facing the direction of the Qiblah.

1543 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَهَنَّادُ بْنُ السَّرِيِّ. قَالاَ: حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: مُرَّ عَلَى النَّبِيِّ ﷺ بِجِنَازَةٍ. فَقَامَ، وقَالَ: «**قُومُوا. فَإِنَّ لِلْمَوْتِ فَزَعاً**».

1544 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ، عَنْ مَسْعُودِ بْنِ الْحَكَمِ، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ؛ قَالَ: قَامَ رَسُولُ اللَّهِ ﷺ لِجِنَازَةٍ، فَقُمْنَا. حَتَّى جَلَسَ، فَجَلَسْنَا.

1545 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ، وَعُقْبَةُ بْنُ مُكْرَمٍ. قَالاَ: حَدَّثَنَا صَفْوَانُ بْنُ عِيسَى. حَدَّثَنَا بِشْرُ بْنُ رَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ سُلَيْمَانَ بْنِ جُنَادَةَ بْنِ أَبِي أُمَيَّةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ؛ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا اتَّبَعَ جِنَازَةً، لَمْ يَقْعُدْ حَتَّى تُوضَعَ فِي اللَّحْدِ. فَعَرَضَ لَهُ حَبْرٌ فَقَالَ: هٰكَذَا نَصْنَعُ يَا مُحَمَّدُ فَجَلَسَ رَسُولُ اللَّهِ ﷺ وَقَالَ: «**خَالِفُوهُمْ**».

36 ـ بابُ ما جاءَ فيما يُقَالُ إذا دَخَلَ المَقَابِرَ

1546 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ مُوسَى. حَدَّثَنَا شَرِيكُ بْنُ عَبْدِ اللَّهِ، عَنْ عَاصِمِ بْنِ عُبَيْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: فَقَدْتُهُ (تَعْنِي النَّبِيَّ ﷺ) فَإِذَا هُوَ بِالْبَقِيعِ. فَقَالَ: «**السَّلاَمُ عَلَيْكُمْ، دَارَ قَوْمٍ مُؤْمِنِينَ. أَنْتُمْ لَنَا فَرَطٌ وَإِنَّا بِكُمْ لاَحِقُونَ. اللَّهُمَّ لاَ تَحْرِمْنَا أَجْرَهُمْ وَلاَ تَفْتِنَّا بَعْدَهُمْ**».

1547 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبَّادِ بْنِ آدَمَ. حَدَّثَنَا أَحْمَدُ. حَدَّثَنَا سُفْيَانُ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ يُعَلِّمُهُمْ إِذَا خَرَجُوا إِلَى الْمَقَابِرِ. كَانَ قَائِلُهُمْ يَقُولُ: السَّلاَمُ عَلَيْكُمْ، أَهْلَ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ، وَإِنَّا إِنْ شَاءَ اللَّهُ بِكُمْ لاَحِقُونَ. نَسْأَلُ اللَّهَ لَنَا وَلَكُمُ الْعَافِيَةَ.

37 ـ بابُ ما جاءَ في الجُلُوسِ في المَقَابِرِ

1548 ـ **حدّثنا** مُحَمَّدُ بْنُ زِيَادٍ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ يُونُسَ بْنِ خَبَّابٍ، عَنِ الْمِنْهَالِ بْنِ عَمْرٍو، عَنْ زَاذَانَ، عَنِ الْبَرَاءِ بْنِ عَازِبٍ؛ قَالَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي جِنَازَةٍ. فَقَعَدَ حِيَالَ الْقِبْلَةِ.

1549- It is narrated on the authority of Al-Bara Ibn Azib that he said: We set out (to follow) a funeral procession with the Messenger of Allah "Allah's blessing and peace be upon him", and when we reached the (courtyard of the) grave, he sat and we sat after him, (as silent and motionless) as if birds were over our heads.

[38] Getting The Dead Into The Grave

1550- It is narrated on the authority of Ibn Umar that he said: Whenever (the dead body of) a deceased was placed in the grave, the Messenger of Allah "Allah's blessing and peace be upon him" would say: "In the Name of Allah, and on the way of the Messenger of Allah." According to the narration of Abu Khalid: Whenever a deceased was placed in his grave, he would say: "In the Name of Allah, and in accordance with the sunnah of the Messenger of Allah." According to the narration of Hisham, he would say: "In the Name of Allah, and in the Cause of Allah, and on the way of the Messenger of Allah."

1551- It is narrated on the authority of Abu Rafi' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" placed (the bier of) Sa'd (Ibn Mu'adh in the rear of the grave, from which he withdrew the dead body slowly into the grave), and sprinkled water over his grave.

1552- It is narrated on the authority of Abu Sa'id that the Messenger of Allah "Allah's blessing and peace be upon him" was taken from the direction of the Qiblah and was placed (in the grave) facing (the direction of the Qiblah).

1553- It is narrated on the authority of Sa'id Ibn Al-Musayyab that he said: I attended a funeral procession with Ibn Umar and when he placed (the dead body) in the grave he said: "In the Name of Allah, and in the Cause of Allah, and on the way of the Messenger of Allah "Allah's blessing and peace be upon him"." While the bricks were being levelled on the grave, he said: "O Allah! Save that from Satan, and from the punishment of the grave! O Allah! Make the ground (as spacious as to be) far away from his sides, make his soul ascend (peacefully to You), and bestow upon him good pleasure from Your Presence!" I said to him: "O Ibn Umar! Is it something you heard from the Messenger of Allah "Allah's blessing and peace be upon him", or you said from your own?" he said: "(Do you think) I'm able to invent like that? Nay! It is something I heard from the Messenger of Allah "Allah's blessing and peace be upon him"."

1549 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ عَمْرِو بْنِ قَيْسٍ، عَنِ الْمِنْهَالِ بْنِ عَمْرٍو، عَنْ زَاذَانَ، عَنِ الْبَرَاءِ بْنِ عَازِبٍ؛ قَالَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي جِنَازَةٍ. فَانْتَهَيْنَا إِلَى الْقَبْرِ. فَجَلَسَ، كَأَنَّ عَلَى رُؤُوسِنَا الطَّيْرَ.

38 ـ بابُ ما جاءَ في إدْخالِ المَيِّتِ القَبْرَ

1550 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنَا لَيْثُ بْنُ أَبِي سُلَيْمٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ. ح وَحَدَّثَنَا عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ. حَدَّثَنَا الْحَجَّاجُ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: كَانَ النَّبِيُّ ﷺ إِذَا أُدْخِلَ الْمَيِّتُ الْقَبْرَ، قَالَ: «**بِسْمِ اللَّهِ. وَعَلَى مِلَّةِ رَسُولِ اللَّهِ**». وَقَالَ أَبُو خَالِدٍ مَرَّةً: إِذَا وُضِعَ الْمَيِّتُ فِي لَحْدِهِ قَالَ: «**بِسْمِ اللَّهِ. وَعَلَى سُنَّةِ رَسُولِ اللَّهِ**». وَقَالَ هِشَامٌ فِي حَدِيثِهِ: «**بِسْمِ اللَّهِ. وَفِي سَبِيلِ اللَّهِ. وَعَلَى مِلَّةِ رَسُولِ اللَّهِ**».

1551 ـ **حدّثنا** عَبْدُ الْمَلِكِ بْنُ مُحَمَّدٍ الرَّقَاشِيُّ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ الْخَطَّابِ. حَدَّثَنَا مِنْدَلُ بْنُ عَلِيٍّ. أَخْبَرَنِي مُحَمَّدُ بْنُ عُبَيْدِ اللَّهِ بْنِ أَبِي رَافِعٍ، عَنْ دَاوُدَ بْنِ الْحُصَيْنِ، عَنْ أَبِيهِ، عَنْ أَبِي رَافِعٍ؛ قَالَ: سَلَّ رَسُولُ اللَّهِ ﷺ سَعْداً وَرَشَّ عَلَى قَبْرِهِ مَاءً.

1552 ـ **حدّثنا** هَارُونُ بْنُ إِسْحَاقَ. حَدَّثَنَا الْمُحَارِبِيُّ. عَنْ عَمْرِو بْنِ قَيْسٍ، عَنْ عَطِيَّةَ، عَنْ أَبِي سَعِيدٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أُخِذَ مِنْ قِبَلِ الْقِبْلَةِ، وَاسْتُقْبِلَ اسْتِقْبَالاً، (وَاسْتُلَّ اسْتِلاَلاً).

1553 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا حَمَّادُ بْنُ عَبْدِ الرَّحْمٰنِ الْكَلْبِيُّ. حَدَّثَنَا إِدْرِيسُ الأَوْدِيُّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ؛ قَالَ: حَضَرْتُ ابْنَ عُمَرَ فِي جِنَازَةٍ. فَلَمَّا وَضَعَهَا فِي اللَّحْدِ قَالَ: بِسْمِ اللَّهِ. وَفِي سَبِيلِ اللَّهِ. وَعَلَى مِلَّةِ رَسُولِ اللَّهِ. فَلَمَّا أُخِذَ فِي تَسْوِيَةِ اللَّبِنِ عَلَى اللَّحْدِ قَالَ: اللَّهُمَّ أَجِرْهَا مِنَ الشَّيْطَانِ وَمِنْ عَذَابِ الْقَبْرِ. اللَّهُمَّ جَافِ الأَرْضَ عَنْ جَنْبَيْهَا، وَصَعِّدْ رُوحَهَا، وَلَقِّهَا مِنْكَ رِضْوَاناً. قُلْتُ: يَا ابْنَ عُمَرَ أَشَيْءٌ سَمِعْتَهُ مِنْ رَسُولِ اللَّهِ ﷺ أَمْ قُلْتَهُ بِرَأْيِكَ؟ قَالَ: إِنِّي لَقَادِرٌ عَلَى الْقَوْلِ. بَلْ شَيْءٌ سَمِعْتُهُ مِنْ رَسُولِ اللَّهِ ﷺ.

[39] The Grave Is Desirable

1554- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The grave is for us (the Muslims), and the tomb is for (those of the Scripture) other than us."

1555- It is narrated on the authority of Jarir Ibn Abdullah Al-Bajali that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The grave is for us (the Muslims), and the tomb is for (those who do not belong to us."

1556- It is narrated on the authority of Amir Ibn Sa'd from his father that he said: "Make a grave for me (to be buried in it), and place a rock on the bricks, the same as it was done with the Messenger of Allah "Allah's blessing and peace be upon him"."

[40] What About The Tomb

1557- It is narrated on the authority of Anas that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" died, there was in Medina (two persons) one who used to make graves, and the other to make tombs (for the dead to be buried). They said: "Let's ask Allah to guide us to what is more right: let's send to both, and whoever of them comes first, we will leave him make it." They sent to both (to come), and the one of graves came first, thereupon they (decided to) make a grave for the Messenger of Allah "Allah's blessing and peace be upon him".

1558- It is narrated on the authority of A'ishah that she said: When the Messenger of Allah "Allah's blessing and peace be upon him" died, they differed whether to make a grave or a tomb (for him), and they discussed the matter so loudly that their voices rose high, thereupon Umar said: "Do not make noise in the presence of the Messenger of Allah "Allah's blessing and peace be upon him", be he living or dying" or said something similar to that. They sent to both makers of graves and tombs, and the maker of graves came (first), and thus, they (decided to) dig a grave to the Messenger of Allah "Allah's blessing and peace be upon him", in which the Messenger of Allah "Allah's blessing and peace be upon him" was buried.

[41] What About Digging The Grave

1559- It is narrated on the authority of Al-Adra' As-Sulami that he said: One night, I came to guard the Messenger of Allah "Allah's blessing and peace be upon him", and behold! There was a man, who was reciting (the Qur'an) loudly. Then, the Messenger of Allah "Allah's blessing and peace be upon him" set out and I said to him: "O Messenger of Allah! This (man)

39 ـ بابُ ما جَاءَ في اسْتِحْبَابِ اللَّحْدِ

1554 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا حَكَّامُ بْنُ سَلْمٍ الرَّازِيُّ. قَالَ: سَمِعْتُ عَلِيَّ بْنَ عَبْدِ الأَعْلَىٰ يَذْكُرُ عَنْ أَبِيهِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّحْدُ لَنَا، وَالشَّقُّ لِغَيْرِنَا**».

1555 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ مُوسَى السُّدِّيُّ. حَدَّثَنَا شَرِيكٌ، عَنْ أَبِي الْيَقْظَانِ، عَنْ زَاذَانَ، عَنْ جَرِيرِ بْنِ عَبْدِ اللَّهِ الْبَجَلِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّحْدُ لَنَا، وَالشَّقُّ لِغَيْرِنَا**».

1556 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُثَنَّى. حَدَّثَنَا أَبُو عَامِرٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ جَعْفَرٍ الزُّهْرِيُّ، عَنْ إِسْمَاعِيلَ بْنِ مُحَمَّدِ بْنِ سَعْدٍ، عَنْ عَامِرِ بْنِ سَعْدٍ، عَنْ سَعْدٍ؛ أَنَّهُ قَالَ: أَلْحِدُوا لِي لَحْداً، وَانْصِبُوا عَلَى اللَّبِنِ نَصْباً، كَمَا فُعِلَ بِرَسُولِ اللَّهِ ﷺ.

40 ـ بابُ ما جَاءَ في الشَّقِّ

1557 ـ **حدّثنا** مَحْمُودُ بْنُ غَيْلاَنَ. حَدَّثَنَا هَاشِمُ بْنُ الْقَاسِمِ. حَدَّثَنَا مُبَارَكُ بْنُ فُضَالَةَ. حَدَّثَنِي حُمَيْدٌ الطَّوِيلُ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: لَمَّا تُوُفِّيَ النَّبِيُّ ﷺ كَانَ بِالْمَدِينَةِ رَجُلٌ يَلْحَدُ وَآخَرُ يَضْرَحُ. فَقَالُوا: نَسْتَخِيرُ رَبَّنَا وَنَبْعَثُ إِلَيْهِمَا. فَأَيُّهُمَا سُبِقَ تَرَكْنَاهُ. فَأُرْسِلَ إِلَيْهِمَا. فَسَبَقَ صَاحِبُ اللَّحْدِ. فَلَحَدُوا لِلنَّبِيِّ ﷺ.

1558 ـ **حدّثنا** عُمَرُ بْنُ شَبَّةَ بْنِ عُبَيْدَةَ بْنِ زَيْدٍ. حَدَّثَنَا عُبَيْدُ بْنُ طُفَيْلٍ الْمُقْرِىءُ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ أَبِي مُلَيْكَةَ الْقُرَشِيُّ. حَدَّثَنَا ابْنُ أَبِي مُلَيْكَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: لَمَّا مَاتَ رَسُولُ اللَّهِ ﷺ اخْتَلَفُوا فِي اللَّحْدِ وَالشَّقِّ. حَتَّى تَكَلَّمُوا فِي ذٰلِكَ. وَارْتَفَعَتْ أَصْوَاتُهُمْ. فَقَالَ عُمَرُ: لاَ تَصْخَبُوا عِنْدَ رَسُولِ اللَّهِ ﷺ حَيًّا وَلاَ مَيِّتاً. أَوْ كَلِمَةً نَحْوَهَا. فَأَرْسِلُوا إِلَى الشَّقَّاقِ واللاَّحِدِ جَمِيعاً. فَجَاءَ اللاَّحِدُ، فَلَحَدَ لِرَسُولِ اللَّهِ ﷺ. ثُمَّ دُفِنَ ﷺ.

41 ـ بابُ ما جَاءَ في حَفْرِ القَبْرِ

1559 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ. حَدَّثَنَا مُوسَى بْنُ عُبَيْدَةَ. حَدَّثَنِي سَعِيدُ بْنُ أَبِي سَعِيدٍ، عَنِ الأَذْرَعِ السُّلَمِيِّ؛ قَالَ: جِئْتُ لَيْلَةً أَحْرُسُ النَّبِيَّ ﷺ. فَإِذَا رَجُلٌ قِرَاءَتُهُ عَالِيَةٌ. فَخَرَجَ النَّبِيُّ ﷺ. فَقُلْتُ: يَا رَسُولَ اللَّهِ هٰذَا مُرَاءٍ. قَالَ فَمَاتَ بِالْمَدِينَةِ. فَفَرَغُوا مِنْ جِهَازِهِ. فَحَمَلُوا نَعْشَهُ. فَقَالَ النَّبِيُّ ﷺ: «**ارْفُقُوا بِهِ، رَفَقَ اللَّهُ بِهِ. إِنَّهُ كَانَ يُحِبُّ اللَّهَ وَرَسُولَهُ**».

is (doing so in order to be) seen of men." (The Messenger of Allah "Allah's blessing and peace be upon him" gave no reply, in reference to the falsehood of the statement of Al-Adra'.) later, this (man) died in Medina, and when they finished from preparing him (for burial), they carried his bier (and ran with it so much that) The Messenger of Allah "Allah's blessing and peace be upon him" said to them: "Be gentle to him, might Allah be Kind to him! He used to love Allah and His Messenger." When his grave was dug, he (the Prophet) said: "Make it spacious for him, might Allah make it ample for him!" one of his companions said to him: "O Messenger of Allah! You have felt sorry for his (death)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Yes: he used to love Allah and His Messenger."

1560- It is narrated on the authority of Hisham Ibn Amir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Dig (graves), and make them spacious, and be perfect (in digging them)."

[42] What About The Sign In The Grave

1561- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" signed the grave of Uthman Ibn Maz'un with the help of a rock (he placed on it).

[43] It Is Forbidden To Construct Upon The Graves, Or Build Them With Gypsum, Or Write On Them

1562- It is narrated on the authority of Jabir that Allah's Apostle "Allah's blessing and peace be upon him" forbade to build the graves with gypsum.

1563- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade to write (or engrave) anything on the graves

1564- It is narrated on the authority of Abu Sa'id that the Messenger of Allah "Allah's blessing and peace be upon him" forbade to construct upon the grave.

[44] Throwing (Handfuls Of) Dust In The Grave

1565- It is narrated on the authority of Abu Hurairah that once the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer, and then he came into the grave of the dead, and threw three (handfuls of) dust by the side of his head.

قَالَ وَحَفَرَ حُفْرَتَهُ فَقَالَ: «**أَوْسِعُوا لَهُ. أَوْسَعَ اللَّهُ عَلَيْهِ**» فَقَالَ بَعْضُ أَصْحَابِهِ: يَا رَسُولَ اللَّهِ لَقَدْ حَزِنْتَ عَلَيْهِ. فَقَالَ: «**أَجَلْ. إِنَّهُ كَانَ يُحِبُّ اللَّهَ وَرَسُولَهُ**».

1560 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. حَدَّثَنَا عَبْدُ الْوَارِثِ بْنُ سَعِيدٍ. حَدَّثَنَا أَيُّوبُ، عَنْ حُمَيْدِ بْنِ هِلاَلٍ، عَنْ أَبِي الدَّهْمَاءِ، عَنْ هِشَامِ بْنِ عَامِرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اخْفِرُوا وَأَوْسِعُوا وَأَحْسِنُوا**».

42 ـ بَابُ مَا جَاءَ فِي العَلاَمَةِ فِي القَبْرِ

1561 ـ **حدّثنا** الْعَبَّاسُ بْنُ جَعْفَرٍ. حَدَّثَنَا مُحَمَّدُ بْنُ أَيُّوبَ أَبُو هُرَيْرَةَ الْوَاسِطِيُّ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ كَثِيرِ بْنِ زَيْدٍ، عَنْ زَيْنَبَ بِنْتِ نُبَيْطٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَعْلَمَ قَبْرَ عُثْمَانَ بْنِ مَظْعُونٍ بِصَخْرَةٍ.

43 ـ بَابُ مَا جَاءَ فِي النَّهْيِ عَنِ البِنَاءِ عَلَى القُبُورِ وَتَجْصِيصِهَا وَالكِتَابَةِ عَلَيْهَا

1562 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ، وَمُحَمَّدُ بْنُ زِيَادٍ. قَالاَ: حَدَّثَنَا عَبْدُ الْوَارِثِ، عَنْ أَيُّوبَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ تَجْصِيصِ الْقُبُورِ.

1563 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ سُلَيْمَانَ ابْنِ مُوسَى، عَنْ جَابِرٍ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يُكْتَبَ عَلَى الْقَبْرِ شَيْءٌ.

1564 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الرَّقَاشِيُّ. حَدَّثَنَا وَهْبٌ. حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ يَزِيدَ بْنِ جَابِرٍ، عَنِ الْقَاسِمِ بْنِ مُخَيْمِرَةَ، عَنْ أَبِي سَعِيدٍ؛ أَنَّ النَّبِيَّ ﷺ نَهَى أَنْ يُبْنَى عَلَى الْقَبْرِ.

44 ـ بَابُ مَا جَاءَ فِي حَثْوِ التُّرَابِ فِي القَبْرِ

1565 ـ **حدّثنا** الْعَبَّاسُ بْنُ الْوَلِيدِ الدِّمَشْقِيُّ. حَدَّثَنَا يَحْيَى بْنُ صَالِحٍ. حَدَّثَنَا سَلَمَةُ بْنُ كُلْثُومٍ. حَدَّثَنَا الأَوْزَاعِيُّ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ صَلَّى عَلَى جِنَازَةٍ، ثُمَّ أَتَى قَبْرَ الْمَيِّتِ. فَحَثَا عَلَيْهِ مِنْ قِبَلِ رَأْسِهِ ثَلاَثاً.

[45] It Is Forbidden To Trample Or Sit On The Graves

1566- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "To sit on a piece of fire which might burn the body of anyone of you is much better for him to sit on a grave."

1567- It is narrated on the authority of Uqbah Ibn Amir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "To walk on a piece of fire, or a sword, or even to sew my sandals with the help of my walking is better for me than to trample the grave of a Muslim (person); and for me, it is of the same (degree of ugliness and shame) to answer the call of nature in the middle of the graves or in the heart of the market (at sight of the people)."

[46] Putting Off Both Sandals In The Graves

1568- It is narrated on the authority of Bashir Ibn Al-Khasasiyyah that he said: I was walking in the company of the Messenger of Allah "Allah's blessing and peace be upon him" when he said to me: "O son of Al-Khasasiyyah! For Which could you be displeased with Allah; and you are now walking with His Messenger?" I said: "O Messenger of Allah! I'm not displeased with Allah for anything: Allah has given me every (kind of) good." Then, he came upon the graves of Muslims thereupon he said: "No doubt, those (who died) caught up with a lot of good." Then, he came upon the graves of the pagans, thereupon he said: "Verily, a lot of good has escaped those." Then, he turned and saw a man walking between the graves while he was wearing his sandals. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "O man of leather hairless sandals! Put them off!" Abdullah Ibn Uthman used to describe this narration as good, and its narrator as a reliable man.

[47] Visiting The Graves

1569- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Visit the graves, since they remind you of (the affairs of) the hereafter."

1570- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" gave concession to visit the graves.

1571- It is narrated on the authority of Abdullah Ibn Mas'ud that the Messenger of Allah "Allah's blessing and peace be upon him" said: "I had forbidden you (at first) to visit the graves. But now you could visit them,

45 ـ بابُ ما جَاءَ في النَّهْيِ عَنِ المَشْيِ على القُبُورِ والجُلُوسِ عليها

1566 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي حَازِمٍ، عَنْ سُهَيْلٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لأَنْ يَجْلِسَ أَحَدُكُمْ عَلَى جَمْرَةٍ تُحْرِقُهُ خَيْرٌ لَهُ مِنْ أَنْ يَجْلِسَ عَلَى قَبْرٍ»**.

1567 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ سَمُرَةَ. حَدَّثَنَا الْمُحَارِبِيُّ، عَنِ اللَّيْثِ بْنِ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ أَبِي الْخَيْرِ، مَرْثَدِ بْنِ عَبْدِ اللَّهِ الْيَزَنِيِّ، عَنْ عُقْبَةَ بْنِ عَامِرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لأَنْ أَمْشِيَ عَلَى جَمْرَةٍ أَوْ سَيْفٍ، أَوْ أَخْصِفَ نَعْلِي بِرِجْلِي، أَحَبُّ إِلَيَّ مِنْ أَنْ أَمْشِيَ عَلَى قَبْرِ مُسْلِمٍ. وَمَا أُبَالِي أَوَسَطَ الْقُبُورِ قَضَيْتُ حَاجَتِي، أَوْ وَسَطَ السُّوقِ»**.

46 ـ بابُ ما جَاءَ في خَلْعِ النَّعْلَيْنِ في المَقَابِرِ

1568 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا الأَسْوَدُ بْنُ شَيْبَانَ، عَنْ خَالِدِ بْنِ سُمَيْرٍ، عَنْ بَشِيرِ بْنِ نَهِيكٍ، عَنْ بَشِيرِ بْنِ الْخَصَاصِيَّةِ؛ قَالَ: بَيْنَمَا أَنَا أَمْشِي مَعَ رَسُولِ اللَّهِ ﷺ، فَقَالَ: **«يَا ابْنَ الْخَصَاصِيَّةِ مَا تَنْقِمُ عَلَى اللَّهِ؟ أَصْبَحْتَ تُمَاشِي رَسُولَ اللَّهِ»** فَقُلْتُ: يَا رَسُولَ اللَّهِ مَا أَنْقِمُ عَلَى اللَّهِ شَيْئاً. كُلُّ خَيْرٍ قَدْ أَتَانِيهِ اللَّهُ. فَمَرَّ عَلَى مَقَابِرِ الْمُسْلِمِينَ. فَقَالَ: **«أَدْرَكَ هَؤُلاَءِ خَيْراً كَثِيراً»**. ثُمَّ مَرَّ عَلَى مَقَابِرِ الْمُشْرِكِينَ. فَقَالَ: **«سَبَقَ هَؤُلاَءِ خَيْراً كَثِيراً»** قَالَ: فَالْتَفَتَ فَرَأَى رَجُلاً يَمْشِي بَيْنَ الْمَقَابِرِ فِي نَعْلَيْهِ. فَقَالَ: **«يَا صَاحِبَ السِّبْتِيَّتَيْنِ أَلْقِهِمَا»**.

حدّثنا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ؛ قَالَ: كَانَ عَبْدُ اللَّهِ بْنُ عُثْمَانَ يَقُولُ: حَدِيثٌ جَيِّدٌ، وَرَجُلٌ ثِقَةٌ.

47 ـ بابُ ما جَاءَ في زِيَارَةِ القُبُورِ

1569 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ، عَنْ يَزِيدَ بْنِ كَيْسَانَ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«زُورُوا الْقُبُورَ. فَإِنَّهَا تُذَكِّرُكُمُ الآخِرَةَ»**.

1570 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ سَعِيدٍ الْجَوْهَرِيُّ. حَدَّثَنَا رَوْحٌ. حَدَّثَنَا بِسْطَامُ بْنُ مُسْلِمٍ. قَالَ: سَمِعْتُ أَبَا التَّيَّاحِ. قَالَ: سَمِعْتُ ابْنَ أَبِي مُلَيْكَةَ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ رَخَّصَ فِي زِيَارَةِ الْقُبُورِ.

1571 ـ **حدّثنا** يُونُسُ بْنُ عَبْدِ الأَعْلَى. حَدَّثَنَا ابْنُ وَهْبٍ. أَنْبَأَنَا ابْنُ جُرَيْجٍ، عَنْ أَيُّوبَ بْنِ هَانِئٍ، عَنْ مَسْرُوقِ بْنِ الأَجْدَعِ، عَنِ ابْنِ مَسْعُودٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«كُنْتُ نَهَيْتُكُمْ عَنْ زِيَارَةِ الْقُبُورِ، فَزُورُوهَا. فَإِنَّهَا تُزَهِّدُ فِي الدُّنْيَا، وَتُذَكِّرُ الآخِرَةَ»**.

since they cause one to abstain from (the material benefits and luxuries of) the world, and remind him of (the affairs of) the hereafter."

[48] What About Visiting The Graves Of The Pagans

1572- It is narrated on the authority of Abu Hurairah that once the Messenger of Allah "Allah's blessing and peace be upon him" visited the grave of his mother, and he wept, and caused those around him to weep. Then, he said: "I asked for permission of my Lord to invoke forgiveness for her, and he gave me no permission; and I asked for permission of my Lord to visit her grave, and he gave me permission. So, (it'd better for) you to visit the graves, since they remind you of the dead persons."

1573- It is narrated on the authority of Salim from his father that a desert dweller came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My father used to keep good relations (with his kith and kin), to do such and such, such and such (deeds of goodness): where is he now?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "He is in the fire (of Hell)." He seemed to have grown angry because of that, and he said: "O Messenger of Allah! Where is your father?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Wherever you come upon the grave of a pagan, give him the news of being admitted to the fire (of Hell)." Afterwards, this Bedouin embraced Islam and said: No doubt, the Messenger of Allah "Allah's blessing and peace be upon him" put me to difficulty when he told me: "Wherever you come upon the grave of a pagan, give him the news of being admitted to the fire (of Hell)."

[49] It Is Forbidden For Women To Visit The Graves

1574- It is narrated on the authority of Abd Ar-Rahman Ibn Hassan Ibn Thabit from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed such of women as visit the graves.

1575- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed such of women as visit the graves.

1576- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed such of women as visit the graves.

[50] When Women Follow The Funeral Processions

1577- It is narrated on the authority of Umm Atiyyah that she said: We (women) were forbidden to follow the funeral processions, but (such

48 ـ بابُ ما جَاءَ في زِيَارَةِ قُبُورِ المُشْرِكِينَ

1572 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ. حَدَّثَنَا يَزِيدُ بْنُ كَيْسَانَ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: زَارَ النَّبِيُّ ﷺ قَبْرَ أُمِّهِ فَبَكَى وَأَبْكَى مَنْ حَوْلَهُ. فَقَالَ: «**اسْتَأْذَنْتُ رَبِّي فِي أَنْ أَسْتَغْفِرَ لَهَا فَلَمْ يَأْذَنْ لِي. وَاسْتَأْذَنْتُ رَبِّي فِي أَنْ أَزُورَ قَبْرَهَا فَأَذِنَ لِي، فَزُورُوا الْقُبُورَ. فَإِنَّهَا تُذَكِّرُكُمُ الْمَوْتَ**».

1573 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ الْبَخْتَرِيِّ الْوَاسِطِيُّ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ إِبْرَاهِيمَ بْنِ سَعْدٍ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ؛ قَالَ: جَاءَ أَعْرَابِيٌّ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ! إِنَّ أَبِي كَانَ يَصِلُ الرَّحِمَ، وَكَانَ وَكَانَ. فَأَيْنَ هُوَ؟ قَالَ: «**فِي النَّارِ**» قَالَ فَكَأَنَّهُ وَجَدَ مِنْ ذٰلِكَ. فَقَالَ: يَا رَسُولَ اللَّهِ فَأَيْنَ أَبُوكَ؟ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**حَيْثُمَا مَرَرْتَ بِقَبْرِ مُشْرِكٍ، فَبَشِّرْهُ بِالنَّارِ**» قَالَ فَأَسْلَمَ الأَعْرَابِيُّ، بَعْدُ. وَقَالَ: لَقَدْ كَلَّفَنِي رَسُولُ اللَّهِ ﷺ تَعَباً. مَا مَرَرْتُ بِقَبْرِ كَافِرٍ إِلاَّ بَشَّرْتُهُ بِالنَّارِ.

49 ـ بابُ ما جَاءَ في النَّهْيِ عَنْ زِيَارَةِ النِّسَاءِ القُبُورَ

1574 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو بِشْرٍ. قَالاَ: حَدَّثَنَا قَبِيصَةُ. ح وَحَدَّثَنَا أَبُو كُرَيْبٍ. حَدَّثَنَا عُبَيْدُ بْنُ سَعِيدٍ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ خَلَفٍ الْعَسْقَلاَنِيُّ. حَدَّثَنَا الْفِرْيَابِيُّ وَقَبِيصَةُ كُلُّهُمْ عَنْ سُفْيَانَ، عَنْ عَبْدِ اللَّهِ بْنِ عُثْمَانَ بْنِ خُثَيْمٍ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ بَهْمَانَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ حَسَّانَ بْنِ ثَابِتٍ، عَنْ أَبِيهِ؛ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ زُوَّارَاتِ الْقُبُورِ.

1575 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. حَدَّثَنَا عَبْدُ الْوَارِثِ. حَدَّثَنَا مُحَمَّدُ بْنُ جُحَادَةَ، عَنْ أَبِي صَالِحٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ زُوَّارَاتِ الْقُبُورِ.

1576 ـ **حدّثنا** مُحَمَّدُ بْنُ خَلَفٍ الْعَسْقَلاَنِيُّ أَبُو نَصْرٍ. حَدَّثَنَا مُحَمَّدُ بْنُ طَالِبٍ. حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ زُوَّارَاتِ الْقُبُورِ.

50 ـ بابُ ما جَاءَ في اتِّبَاعِ النِّسَاءِ الجَنَائِزَ

1577 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامٍ، عَنْ حَفْصَةَ، عَنْ أُمِّ عَطِيَّةَ؛ قَالَتْ: نُهِينَا عَنِ اتِّبَاعِ الْجَنَائِزِ، وَلَمْ يُعْزَمْ عَلَيْنَا.

forbiddance is) not binding (since it is undesirable, not unlawful for women to visit the graves).

1578- It is narrated on the authority of Ali that once the Messenger of Allah "Allah's blessing and peace be upon him" set out and behold! There were some women sitting, to whom he said: "What led you to sit (as such)?" they said: "We are waiting the funeral procession." He said: "Do you take part in washing (the dead body)?" they answered in the negative. He asked: "Do you take part in carrying (the bier)?" they answered in the negative. He asked: "Do you take part in placing (the dead body in the grave)?" they said: "No." on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, return (to your houses for your act is) sinful, not rewardable."

[51] The Forbiddance Of Wailing (Over The Dead)

1579- It is narrated on the authority of Umm Salamah that the Messenger of Allah "Allah's blessing and peace be upon him" said, pertaining to (Allah's saying): "and that they will not disobey you in any just matter" (Al-Mumtahanah 12) "It refers to wailing (on the dead)."

1580- It is narrated on the authority of Jarir, the freed slave of Mu'awiyah that Mu'awiyah addressed us with five things, in which he said that "The Messenger of Allah "Allah's blessing and peace be upon him" forbade wailing (over the dead)."

1581- It is narrated on the authority of Abu Malik Al-Ash'ari that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, wailing belongs to the (vile habits of the) pre-Islamic period of ignorance; and if the wailing woman dies before she repents from that, Allah will make for her a garment from pitch and a shield from the flames of the fire (of Hell)."

1582- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, wailing on the dead belongs to the (wicked customs of the) pre-Islamic period of ignorance; and unless a wailing woman repents from that before she dies, she will be raised on the Day of Judgement, having on her body shirts from pitch, with shields of the flames of fire over them."

1583- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade that a funeral procession would be followed with a ringing (voice of a crying woman).

1578 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُصَفَّى. حَدَّثَنَا أَحْمَدُ بْنُ خَالِدٍ. حَدَّثَنَا إِسْرَائِيلُ، عَنْ إِسْمَاعِيلَ بْنِ سَلْمَانَ، عَنْ دِينَارٍ أَبِي عُمَرَ، عَنِ ابْنِ الْحَنَفِيَّةِ، عَنْ عَلِيٍّ؛ قَالَ: خَرَجَ رَسُولُ اللَّهِ ﷺ فَإِذَا نِسْوَةٌ جُلُوسٌ. فَقَالَ: «**مَا يُجْلِسُكُنَّ؟**» قُلْنَ: نَنْتَظِرُ الْجِنَازَةَ. قَالَ: «**هَلْ تَغْسِلْنَ؟**» قُلْنَ: لاَ. قَالَ: «**هَلْ تَحْمِلْنَ؟**» قُلْنَ: لاَ. قَالَ: «**هَلْ تُدْلِينَ فِيمَنْ يُدْلِي؟**» قُلْنَ: لاَ. قَالَ: «**فَارْجِعْنَ مَأْزُورَاتٍ، غَيْرَ مَأْجُورَاتٍ**».

51 ـ بابٌ فِي النَّهْيِ عَنِ النِّيَاحَةِ

1579 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ، عَنْ يَزِيدَ بْنِ عَبْدِ اللَّهِ مَوْلَى الصَّهْبَاءِ، عَنْ شَهْرِ بْنِ حَوْشَبٍ، عَنْ أُمِّ سَلَمَةَ، عَنِ النَّبِيِّ ﷺ: ﴿وَلَا يَعْصِينَكَ فِي مَعْرُوفٍ﴾ [الممتحنة: 12] قَالَ: «النَّوْحُ».

1580 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ دِينَارٍ. حَدَّثَنَا جَرِيرٌ، مَوْلَى مُعَاوِيَةَ؛ قَالَ: خَطَبَ مُعَاوِيَةُ بِحِمْصَ، فَذَكَرَ فِي خُطْبَتِهِ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ النَّوْحِ.

1581 ـ **حدّثنا** الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ، وَمُحَمَّدُ بْنُ يَحْيَى. قَالاَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ أَنْبَأَنَا مَعْمَرٌ، عَنْ يَحْيَى بْنِ كَثِيرٍ، عَنِ ابْنِ مُعَانِقٍ أَوْ أَبِي مُعَانِقٍ، عَنْ أَبِي مَالِكٍ الأَشْعَرِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**النِّيَاحَةُ مِنْ أَمْرِ الْجَاهِلِيَّةِ. وَإِنَّ النَّائِحَةَ إِذَا مَاتَتْ وَلَمْ تَتُبْ قَطَعَ اللَّهُ لَهَا ثِيَاباً مِنْ قَطِرَانٍ، وَدِرْعاً مِنْ لَهَبِ النَّارِ**».

1582 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا مُحَمَّدُ بْنُ يُوسُفَ. حَدَّثَنَا عُمَرُ بْنُ رَاشِدٍ الْيَمَامِيُّ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**النِّيَاحَةُ عَلَى الْمَيِّتِ مِنْ أَمْرِ الْجَاهِلِيَّةِ. فَإِنَّ النَّائِحَةَ إِنْ لَمْ تَتُبْ قَبْلَ أَنْ تَمُوتَ، فَإِنَّهَا تُبْعَثُ يَوْمَ الْقِيَامَةِ عَلَيْهَا سَرَابِيلُ مِنْ قَطِرَانٍ. ثُمَّ يُعْلَى عَلَيْهَا بِدِرْعٍ مِنْ لَهَبِ النَّارِ**».

1583 ـ **حدّثنا** أَحْمَدُ بْنُ يُوسُفَ. حَدَّثَنَا عُبَيْدُ اللَّهِ. أَنْبَأَنَا إِسْرَائِيلُ، عَنْ أَبِي يَحْيَى، عَنْ مُجَاهِدٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ تُتْبَعَ جِنَازَةٌ مَعَهَا رَانَّةٌ.

[52] It Is Forbidden To Slap The Cheeks And Tear The Clothes

1584- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Not from us is such as tears the clothes, slaps the cheeks, and calls with the call of the pre-Islamic period of ignorance."

1585- It is narrated on the authority of Abu Umamah that the Messenger of Allah "Allah's blessing and peace be upon him" sent his curse upon such of women as remove (the skin of) their cheeks, tear their clothes, and call with the call of perdition and damage."

1586- It is narrated on the authority of both Yazid Ibn Abd Ar-Rahman and Abu Burdah that when Abu Musa fell unconscious, his wife, Umm Abdullah went on crying with a ringing voice; and when he recovered he said to her: "Do you not know that I am free from the one, from whom the Messenger of Allah "Allah's blessing and peace be upon him" freed himself?" he told her that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, I'm free from such as shaves (his or her head), cries (with a ringing voice or slaps his or her cheeks) and tears (his or her clothes at the coming of a distress)."

[53] Shedding Tears For The Dead

1587- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was in a funeral procession when Umar saw a (weeping) woman, and he cried for her (to desist from weeping), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Leave her O Umar! Verily, the eye sheds tear, and the soul is put to distress (because of the dead, to whose death it) is still close (in time)."

(...) The same is narrated on the authority of Abu Hurairah from the Messenger of Allah "Allah's blessing and peace be upon him".

1588- It is narrated on the authority of Usamah Ibn Zaid: A son belonging to one of the daughters of The Prophet "Allah's blessing and peace be upon him" was at the threshold of death, and she sent (a messenger) to The Prophet "Allah's blessing and peace be upon him" requesting him to come, but The Prophet "Allah's blessing and peace be upon him" returned the messenger with the message: "Whatever Allah takes is for Him and whatever He gives, is for Him, and everything with Him has a term appointed (in this world). So she should be patient and expect for Allah's reward." She again sent for him, swearing that he should come. The Prophet "Allah's blessing and peace be upon him" got up and I,

52 ـ بابُ ما جَاءَ في النَّهْيِ عَنْ ضَرْبِ الخُدُودِ وشَقِّ الجُيُوبِ

1584 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، وَعَبْدُ الرَّحْمٰنِ، جَمِيعاً عَنْ سُفْيَانَ، عَنْ زُبَيْدٍ، عَنْ إِبْرَاهِيمَ، عَنْ مَسْرُوقٍ. ح وَحَدَّثَنَا عَلِيُّ بْنُ مُحَمَّدٍ وَأَبُو بَكْرِ بْنُ خَلاَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا الأَعْمَشُ، عَنْ عَبْدِ اللَّهِ بْنِ مُرَّةَ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيْسَ مِنَّا مَنْ شَقَّ الْجُيُوبَ وَضَرَبَ الْخُدُودَ، وَدَعَا بِدَعْوَى الْجَاهِلِيَّةِ»**.

1585 ـ **حدّثنا** مُحَمَّدُ بْنُ جَابِرٍ الْمُحَارِبِيُّ، وَمُحَمَّدُ بْنُ كَرَامَةَ. قَالاَ: حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ بْنِ جَابِرٍ، عَنْ مَكْحُولٍ، وَالْقَاسِمِ عَنْ أَبِي أُمَامَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ لَعَنَ الْخَامِشَةَ وَجْهَهَا، وَالشَّاقَّةَ جَيْبَهَا، وَالدَّاعِيَةَ بِالْوَيْلِ وَالثُّبُورِ.

1586 ـ **حدّثنا** أَحْمَدُ بْنُ عُثْمَانَ بْنِ حَكِيمٍ الأَوْدِيُّ. حَدَّثَنَا جَعْفَرُ بْنُ عَوْنٍ، عَنْ أَبِي الْعُمَيْسِ؛ قَالَ: سَمِعْتُ أَبَا صَخْرَةَ يَذْكُرُ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ، وَأَبِي بُرْدَةَ. قَالاَ: لَمَّا ثَقُلَ أَبُو مُوسَى أَقْبَلَتِ امْرَأَتُهُ أُمُّ عَبْدِ اللَّهِ تَصِيحُ بِرَنَّةٍ. فَأَفَاقَ، فَقَالَ لَهَا: أَوَمَا عَلِمْتِ أَنِّي بَرِيءٌ مِمَّنْ بَرِىءَ مِنْهُ رَسُولُ اللَّهِ ﷺ؟ وَكَانَ يُحَدِّثُهَا أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«أَنَا بَرِيءٌ مِمَّنْ حَلَقَ وَسَلَقَ وَخَرَقَ»**.

53 ـ بابُ ما جَاءَ في البُكَاءِ على المَيِّتِ

1587 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ وَهْبِ بْنِ كَيْسَانَ، عَنْ مُحَمَّدِ بْنِ عَمْرِو بْنِ عَطَاءٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ كَانَ فِي جِنَازَةٍ. فَرَأَى عُمَرُ امْرَأَةً فَصَاحَ بِهَا. فَقَالَ النَّبِيُّ ﷺ: **«دَعْهَا يَا عُمَرُ. فَإِنَّ الْعَيْنَ دَامِعَةٌ، وَالنَّفْسَ مُصَابَةٌ، وَالْعَهْدَ قَرِيبٌ»**.

حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَفَّانُ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ وَهْبِ بْنِ كَيْسَانَ، عَنْ مُحَمَّدِ بْنِ عَمْرِو بْنِ عَطَاءٍ، عَنْ سَلَمَةَ بْنِ الأَزْرَقِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ، بِنَحْوِهِ.

1588 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ. حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ. حَدَّثَنَا عَاصِمٌ الأَحْوَلُ، عَنْ أَبِي عُثْمَانَ عَنْ أُسَامَةَ بْنِ زَيْدٍ؛ قَالَ: كَانَ ابْنٌ لِبَعْضِ بَنَاتِ رَسُولِ اللَّهِ ﷺ يَقْضِي. فَأَرْسَلَتْ إِلَيْهِ أَنْ يَأْتِيَهَا. فَأَرْسَلَ إِلَيْهَا أَنَّ **«لِلَّهِ مَا أَخَذَ وَلَهُ مَا أَعْطَى. وَكُلُّ شَيْءٍ عِنْدَهُ إِلَى أَجَلٍ مُسَمًّى. فَلْتَصْبِرْ وَلْتَحْتَسِبْ»**. فَأَرْسَلَتْ إِلَيْهِ، فَأَقْسَمَتْ عَلَيْهِ. فَقَامَ رَسُولُ اللَّهِ ﷺ

Mu'adh Ibn Jabal, Ubai Ibn Ka'b, and Ubadah Ibn As-Samit got up with him. When we came in, the child was brought to Allah's Apostle "Allah's blessing and peace be upon him" and his breath was disturbed in his chest (I think he said as if it was a leather water-skin). On that the eyes of The Prophet "Allah's blessing and peace be upon him" started shedding tears. Ubadah said: "O Allah's Apostle! What is this?" He replied: "It is mercy which Allah has lodged in the hearts of mankind, and Allah is merciful only to such of His servants as are merciful (to others)."

1589- It is narrated on the authority of Asma' Bint Yazid that she said: When Ibrahim, the son of the Messenger of Allah "Allah's blessing and peace be upon him" died, the Messenger of Allah "Allah's blessing and peace be upon him" wept for him, thereupon the one who came to condole him, either Abu Bakr or Umar, said to him: "O Messenger of Allah! You are the greatest among those whose right Allah has appreciated (what is the reason for your weeping?)" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the eye sheds tears, and the heart grieves, and we never say what displeases the Lord. Had it not been a true Promise (from Allah), and (had it not been that death is) promised (by Allah) to gather (all the creatures), and that the latter is to follow the former (in death), we would have been more distressed for you O Ibrahim than we are now; and we are aggrieved for your (departure)."

1590- It is narrated on the authority of Hamnah Bint Jahsh that it was said to her: "Your brother was killed"; thereupon she said: "Allah's Mercy be upon him: we all are to Allah, to Whom we are going to return." When it was said to her that her husband had been killed, she said: "How sad I am!" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the husband has, in (the heart of the) woman (his wife) a branch (of love to which she sticks) as none else ever has."

1591- It is narrated on the authority of Ibn Umar that he said: (On his way from the holy battle of Uhud), the Messenger of Allah "Allah's blessing and peace be upon him" came upon women belonging to Banu Abd Al-Ashhal, and they were weeping for their killed men on the day of (the holy battle of) Uhud, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "But there is none to weep for Hamzah!" some women from Al-Ansar came and wept for Hamzah. When the Messenger of Allah "Allah's blessing and peace be upon him" got up he said: "Woe to them! Has they not returned yet? Let them return, and not weep for any deceased afterwards."

وَقُمْتُ مَعَهُ. وَمَعَهُ مُعَاذُ بْنُ جَبَلٍ، وَأُبَيُّ بْنُ كَعْبٍ، وَعُبَادَةُ بْنُ الصَّامِتِ. فَلَمَّا دَخَلْنَا نَاوَلُوا الصَّبِيَّ رَسُولَ اللَّهِ ﷺ، وَرُوحُهُ تَقَلْقَلُ فِي صَدْرِهِ. قَالَ حَسِبْتُهُ قَالَ: كَأَنَّهَا شَنَّةٌ. قَالَ: فَبَكَى رَسُولُ اللَّهِ ﷺ. فَقَالَ لَهُ عُبَادَةُ بْنُ الصَّامِتِ: مَا هٰذَا يَا رَسُولَ اللَّهِ؟ قَالَ: **«الرَّحْمَةُ الَّتِي جَعَلَهَا اللَّهُ فِي بَنِي آدَمَ. وَإِنَّمَا يَرْحَمُ اللَّهُ مِنْ عِبَادِهِ الرُّحَمَاءَ»**.

1589 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا يَحْيَى بْنُ سُلَيْمٍ، عَنِ ابْنِ خَيْثَمٍ، عَنْ شَهْرِ بْنِ حَوْشَبٍ، عَنْ أَسْمَاءَ بِنْتِ يَزِيدَ؛ قَالَتْ: لَمَّا تُوُفِّيَ ابْنُ رَسُولِ اللَّهِ ﷺ، إِبْرَاهِيمُ، بَكَى رَسُولُ اللَّهِ ﷺ. فَقَالَ لَهُ الْمُعَزِّي: (إِمَّا أَبُو بَكْرٍ وَإِمَّا عُمَرُ) أَنْتَ أَحَقُّ مَنْ عَظَّمَ اللَّهَ حَقَّهُ، قَالَ رَسُولُ اللَّهِ ﷺ: **«تَدْمَعُ الْعَيْنُ وَيَحْزَنُ الْقَلْبُ، وَلاَ نَقُولُ مَا يُسْخِطُ الرَّبَّ. لَوْلاَ أَنَّهُ وَعْدٌ صَادِقٌ وَمَوْعُودٌ جَامِعٌ، وَأَنَّ الآخِرَ تَابِعٌ لِلأَوَّلِ لَوَجَدْنَا عَلَيْكَ يَا إِبْرَاهِيمُ أَفْضَلَ مِمَّا وَجَدْنَا. وَإِنَّا بِكَ لَمَحْزُونُونَ»**.

1590 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا إِسْحَاقُ بْنُ مُحَمَّدٍ الْفَرْوِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عُمَرَ، عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ عَبْدِ اللَّهِ بْنِ جَحْشٍ، عَنْ أَبِيهِ، عَنْ حَمْنَةَ بِنْتِ جَحْشٍ؛ أَنَّهُ قِيلَ لَهَا: قُتِلَ أَخُوكِ. فَقَالَتْ: رَحِمَهُ اللَّهُ، وَإِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ. قَالُوا: قُتِلَ زَوْجُكِ. قَالَتْ: وَاحُزْنَاهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ لِلزَّوْجِ مِنَ الْمَرْأَةِ لَشُعْبَةً، مَا هِيَ لِشَيْءٍ»**.

1591 ـ **حدّثنا** هَارُونُ بْنُ سَعِيدٍ الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَنْبَأَنَا أُسَامَةُ بْنُ زَيْدٍ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ مَرَّ بِنِسَاءِ عَبْدِ الأَشْهَلِ يَبْكِينَ هَلْكَاهُنَّ يَوْمَ أُحُدٍ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«لٰكِنَّ حَمْزَةَ لاَ بَوَاكِيَ لَهُ»** فَجَاءَ نِسَاءُ الأَنْصَارِ يَبْكِينَ حَمْزَةَ. فَاسْتَيْقَظَ رَسُولُ اللَّهِ ﷺ فَقَالَ: **«وَيْحَهُنَّ مَا انْقَلَبْنَ بَعْدُ؟ مُرُوهُنَّ فَلْيَنْقَلِبْنَ، وَلاَ يَبْكِينَ عَلَى هَالِكٍ بَعْدَ الْيَوْمِ»**.

1592- It is narrated on the authority of Ibn Abu Awfa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade lamentation (in which wailing over the dead was essential as was the habit of the time of ignorance).

[54] The Dead Is Punished For (His Family's) Wailing Over Him

1593- It is narrated on the authority of Umar Ibn Al-Khattab that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The dead is punished for (his family's) wailing over him."

1594- It is narrated on the authority of Musa Ibn Abu Musa that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The dead is punished because of such of the living (from amongst his clan) as wail over him, when it is said: "O who used to support us! O who used to clothe us! O you who used to help us! O who used to protect us!" and the like of that. he then is moved violently and asked (by the angels): "Are you such and such? Are you such and such (as they say about you)?"" Asid (a sub-narrator) said: I said (to the narrator): Glory be to Allah! Allah Almighty says: "And no soul of sin does bear the burden of another", thereupon he said: Woe to you! Do I tell you that Abu Musa narrated that from the Messenger of Allah "Allah's blessing and peace be upon him" (and you Make such objection)? Do you see that Abu Musa told a lie about the Messenger of Allah "Allah's blessing and peace be upon him", or that I tell a lie about Abu Musa?

1595- It is narrated on the authority of A'ishah that she said: A Jewess died, and the Messenger of Allah "Allah's blessing and peace be upon him" heard them (her family) weeping for her, thereupon he said: "Verily, her family are weeping for her, and she is being punished in the grave (because of such weeping)."

[55] Showing Patience On Distress

1596- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, patience is (rewardable when it is shown) at the first stroke (of the distress)."

1597- It is narrated on the authority of Abu Umamah that the Messenger of Allah "Allah's blessing and peace be upon him" said: Allah Almighty says: "O son of Adam! If you show patience and expect (the reward of your distress) just at the first stroke, I will not be pleased with anything (to give you) as reward other than (to admit you to) the Garden."

1592 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ، عَنْ إِبْرَاهِيمَ الْهَجَرِيِّ، عَنِ ابْنِ أَبِي أَوْفَىٰ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنِ الْمَرَاثِي.

54 ـ بابُ ما جَاءَ في «المَيِّتُ يُعَذَّبُ بما نِيحَ عَلَيْهِ»

1593 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا شَاذَانُ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ، وَمُحَمَّدُ بْنُ الْوَلِيدِ. قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. ح وَحَدَّثَنَا نَصْرُ بْنُ عَلِيٍّ. حَدَّثَنَا عَبْدُ الصَّمَدِ وَوَهْبُ بْنُ جَرِيرٍ. قَالُوا: حَدَّثَنَا شُعْبَةُ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنِ ابْنِ عُمَرَ، عَنْ عُمَرَ بْنِ الْخَطَّابِ، عَنِ النَّبِيِّ ﷺ قَالَ: **«الْمَيْتُ يُعَذَّبُ بِمَا نِيحَ عَلَيْهِ»**.

1594 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ الدَّرَاوَرْدِيُّ. حَدَّثَنَا أَسِيدُ بْنُ أَبِي أَسِيدٍ، عَنْ مُوسَىٰ بْنِ أَبِي مُوسَىٰ الأَشْعَرِيِّ، عَنْ أَبِيهِ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«الْمَيْتُ يُعَذَّبُ بِبُكَاءِ الْحَيِّ، إِذَا قَالُوا: وَاعَضُدَاهُ. وَاكَاسِيَاهُ. وَانَاصِرَاهُ. وَاجَبَلاَهُ. وَنَحْوَ هٰذَا. يُتَعْتَعُ وَيُقَالُ: أَنْتَ كَذٰلِكَ؟ أَنْتَ كَذٰلِكَ؟»**.

قَالَ أَسِيدٌ: فَقُلْتُ سُبْحَانَ اللَّهِ. إِنَّ اللَّهَ يَقُولُ: ﴿وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ﴾ [الأنعام: 164، الإسراء: 15، فاطر: 18] قَالَ: وَيْحَكَ أُحَدِّثُكَ أَنَّ أَبَا مُوسَىٰ حَدَّثَنِي عَنْ رَسُولِ اللَّهِ ﷺ. فَتَرَى أَنَّ أَبَا مُوسَىٰ كَذَبَ عَلَى النَّبِيِّ ﷺ؟ أَوْ تَرَى أَنِّي كَذَبْتُ عَلَى أَبِي مُوسَىٰ؟

1595 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنِ ابْنِ أَبِي مُلَيْكَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: إِنَّمَا كَانَتْ يَهُودِيَّةٌ مَاتَتْ. فَسَمِعَهُمُ النَّبِيُّ ﷺ يَبْكُونَ عَلَيْهَا. قَالَ: **«فَإِنَّ أَهْلَهَا يَبْكُونَ عَلَيْهَا وَإِنَّهَا تُعَذَّبُ فِي قَبْرِهَا»**.

55 ـ بابُ ما جَاءَ في الصَّبْرِ على المُصِيبَةِ

1596 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ سَعْدِ بْنِ سِنَانٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّمَا الصَّبْرُ عِنْدَ الصَّدْمَةِ الأُولَىٰ»**.

1597 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنَا ثَابِتُ بْنُ عَجْلاَنَ، عَنِ الْقَاسِمِ، عَنْ أَبِي أُمَامَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«يَقُولُ اللَّهُ سُبْحَانَهُ: ابْنَ آدَمَ إِنْ صَبَرْتَ وَاحْتَسَبْتَ عِنْدَ الصَّدْمَةِ الأُولَىٰ، لَمْ أَرْضَ لَكَ ثَوَاباً دُونَ الْجَنَّةِ»**.

1598- It is narrated on the authority of Umm Salamah: Abu Salamah told me that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "There is no Muslim befallen by a calamity, and he hastens to say what Allah commanded him to say: "We are to Allah, to Whom we shall return; O Allah! I expect a reward from You for (my patience on) my calamity, so, recompense me with something better in substitution for it", but that Allah would recompense him with something better, in substitution for it." When (my husband) Abu Salamah died, I remembered what he related to me from the Messenger of Allah "Allah's blessing and peace be upon him". I said: "We all are to Allah, to Whom we shall return; O Allah! I expect a reward from You for (my patience on) my calamity", and whenever I intended to say: "so, recompense me with something better in substitution for it", I would soon say to myself: "Who could be a better recompense than Abu Salamah?" When I said it, Allah recompensed me with Muhammad (The Messenger of Allah "Allah's blessing and peace be upon him" as a husband in substitution for Abu Salamah), and gave me reward for my (patience on my) calamity.

1599- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" opened a door or lifted the curtain between him and the people (on the very day he died) and found them offering prayer behind Abu Bakr, thereupon he praised Allah for the good state in which he saw them, in the hope that Allah would succeed him in (setting right the affairs of) them as he saw. He then said: "O people! If anyone of the people, or of the faithful believers is befallen by a calamity, let him console himself with his calamity because of (his missing) me from the calamity that befalls him because of (missing) someone else: Verily, no one of my nation will be befallen after me by a calamity more severe upon him that his calamity of (missing) me."

1600- It is narrated on the authority of Fatimah Bint Al-Husain from her father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is befallen by a calamity, which he remembers, and says: "We are to Allah, to Whom we shall return", no matter far in time it is, Allah will write down a reward like that (which he received) on the day he was befallen (by it and he patiently persevered)."

[56] The Reward Of Such As Consoles One Befallen By Calamity

1601- It is narrated on the authority of Abdullah Ibn Abu Bakr Ibn Muhammad Ibn Amr Ibn Hazm from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said:

1598 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا عَبْدُ الْمَلِكِ بْنُ قُدَامَةَ الْجُمَحِيُّ، عَنْ أَبِيهِ، عَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ، عَنْ أُمِّ سَلَمَةَ أَنَّ أَبَا سَلَمَةَ؛ حَدَّثَهَا أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَا مِنْ مُسْلِمٍ يُصَابُ بِمُصِيبَةٍ فَيَفْزَعُ إِلَى مَا أَمَرَ اللَّهُ بِهِ، مِنْ قَوْلِهِ: إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ. اللَّهُمَّ عِنْدَكَ احْتَسَبْتُ مُصِيبَتِي، فَأْجُرْنِي فِيهَا، وَعَوِّضْنِي مِنْهَا ـ إِلاَّ آجَرَهُ اللَّهُ عَلَيْهَا، وَعَاضَهُ خَيْراً مِنْهَا**».

قَالَتْ: فَلَمَّا تُوُفِّيَ أَبُو سَلَمَةَ ذَكَرْتُ الَّذِي حَدَّثَنِي عَنْ رَسُولِ اللَّهِ ﷺ. فَقُلْتُ: إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ. اللَّهُمَّ عِنْدَكَ احْتَسَبْتُ مُصِيبَتِي هٰذِهِ. فَأْجُرْنِي عَلَيْهَا. فَإِذَا أَرَدْتُ أَنْ أَقُولَ: وَعِضْنِي خَيْراً مِنْهَا، قُلْتُ فِي نَفْسِي: أُعَاضُ خَيْراً مِنْ أَبِي سَلَمَةَ؟ ثُمَّ قُلْتُهَا. فَعَاضَنِي اللَّهُ مُحَمَّداً ﷺ. وَآجَرَنِي فِي مُصِيبَتِي.

1599 ـ **حدّثنا** الْوَلِيدُ بْنُ عَمْرِو بْنِ السُّكَيْنِ. حَدَّثَنَا أَبُو هَمَّامٍ. حَدَّثَنَا مُوسَى بْنُ عُبَيْدَةَ، حَدَّثَنَا مُصْعَبُ بْنُ مُحَمَّدٍ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ عَائِشَةَ؛ قَالَتْ: فَتَحَ رَسُولُ اللَّهِ ﷺ بَاباً بَيْنَهُ وَبَيْنَ النَّاسِ. أَوْ كَشَفَ سِتْراً. فَإِذَا النَّاسُ يُصَلُّونَ وَرَاءَ أَبِي بَكْرٍ. فَحَمِدَ اللَّهَ عَلَى مَا رَأَى مِنْ حُسْنِ حَالِهِمْ، وَرَجَاءَ أَنْ يَخْلُفَهُ اللَّهُ فِيهِمْ بِالَّذِي رَآهُمْ. فَقَالَ: «**يَا أَيُّهَا النَّاسُ أَيُّمَا أَحَدٍ مِنَ النَّاسِ، أَوْ مِنَ الْمُؤْمِنِينَ أُصِيبَ بِمُصِيبَةٍ فَلْيَتَعَزَّ، بِمُصِيبَتِهِ بِي، عَنِ الْمُصِيبَةِ الَّتِي تُصِيبُهُ بِغَيْرِي. فَإِنَّ أَحَداً مِنْ أُمَّتِي لَنْ يُصَابَ بِمُصِيبَةٍ بَعْدِي، أَشَدَّ عَلَيْهِ مِنْ مُصِيبَتِي**».

1600 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعُ بْنُ الْجَرَّاحِ، عَنْ هِشَامِ بْنِ زِيَادٍ، عَنْ أُمِّهِ، عَنْ فَاطِمَةَ بِنْتِ الْحُسَيْنِ، عَنْ أَبِيهَا؛ قَالَ: قَالَ النَّبِيُّ ﷺ: «**مَنْ أُصِيبَ بِمُصِيبَةٍ، فَذَكَرَ مُصِيبَتَهُ، فَأَحْدَثَ اسْتِرْجَاعاً، وَإِنْ تَقَادَمَ عَهْدُهَا، كَتَبَ اللَّهُ لَهُ مِنَ الأَجْرِ مِثْلَهُ يَوْمَ أُصِيبَ**».

56 ـ بَابُ مَا جَاءَ فِي ثَوَابِ مَنْ عَزَّى مُصَاباً

1601 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ. حَدَّثَنِي قَيْسٌ أَبُو عُمَارَةَ، مَوْلَى الأَنْصَارِ؛ قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ أَبِي بَكْرِ بْنِ مُحَمَّدِ بْنِ عَمْرِو بْنِ حَزْمٍ يُحَدِّثُ عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: «**مَا مِنْ مُؤْمِنٍ**

"There is no faithful believer , who consoles his (believing) brother because of a calamity that befalls him (the latter), but that Allah Almighty will dress him with the dresses of majesty on the Day of Judgement."

1602- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who consoles such as befallen by a calamity, will receive the like of his (the latter's) reward."

[57] The Reward Of Such As Befallen By (The Loss Of) His Child

1603- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No man has three of his children died will be admitted to the fire (of Hell), except for dissolving the oath (of Allah that everyone has to pass over the bridge above the lake of fire)."

1604- It is narrated on the authority of Shurahbil Ibn Shuf'ah that he said: Utbah Ibn Abd As-Sulami met me and said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "There is no Muslim, who has three of his children died before they attain the age of puberty, but that they will receive him at the eight gates of the Garden, to enter from whichever he likes of them."

1605- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no couple of Muslims having three of their children died before they attain the age of puberty but that Allah will admit them (both parents and their children) to the Garden by virtue of Allah's Mercy upon them (the children)."

1606- It is narrated on the authority of Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has three of his children died ahead of him before they attain the age of puberty, they will act as a strong shield to safeguard him from the fire (of Hell)." Abu Dharr said: "Two (of my children) died before me." He (the Prophet) said: "And also two (are effective)." Ubai Ibn Ka'b, the chief of the reciters (of the Qur'an) said: "One (of my children) died before me." He said: "And also one (is effective)."

[58] What About Miscarriage

1607-It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "To have a

يُعَزِّي أَخَاهُ بِمُصِيبَةٍ إِلاَّ كَسَاهُ اللَّهُ سُبْحَانَهُ مِنْ حُلَلِ الْكَرَامَةِ يَوْمَ الْقِيَامَةِ».

1602 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. قَالَ: حَدَّثَنَا عَلِيُّ بْنُ عَاصِمٍ، عَنْ مُحَمَّدِ بْنِ سُوقَةَ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ عَزَّى مُصَاباً فَلَهُ مِثْلُ أَجْرِهِ».**

57 ـ بابُ ما جَاءَ في ثَوَابِ مَنْ أُصِيبَ بِوَلَدِهِ

1603 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ يَمُوتُ لِرَجُلٍ ثَلاَثَةٌ مِنَ الْوَلَدِ فَيَلِجَ النَّارَ إِلاَّ تَحِلَّةَ الْقَسَمِ».**

1604 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ سُلَيْمَانَ. حَدَّثَنَا حَرِيزُ بْنُ عُثْمَانَ، عَنْ شُرَحْبِيلَ بْنِ شُفْعَةَ؛ قَالَ: لَقِيَنِي عُتْبَةُ بْنُ عَبْدٍ السُّلَمِيُّ فَقَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«مَا مِنْ مُسْلِمٍ يَمُوتُ لَهُ ثَلاَثَةٌ مِنَ الْوَلَدِ، لَمْ يَبْلُغُوا الْحِنْثَ، إِلاَّ تَلَقَّوْهُ مِنْ أَبْوَابِ الْجَنَّةِ الثَّمَانِيَةِ، مِنْ أَيِّهَا شَاءَ دَخَلَ».**

1605 ـ **حدّثنا** يُوسُفُ بْنُ حَمَّادٍ الْمَعْنِيُّ. حَدَّثَنَا عَبْدُ الْوَارِثِ بْنُ سَعِيدٍ، عَنْ عَبْدِ الْعَزِيزِ بْنِ صُهَيْبٍ، عَنْ أَنَسِ بْنِ مَالِكٍ، عَنِ النَّبِيِّ ﷺ قَالَ: **«مَا مِنْ مُسْلِمَيْنِ يُتَوَفَّى لَهُمَا ثَلاَثَةٌ مِنَ الْوَلَدِ، لَمْ يَبْلُغُوا الْحِنْثَ، إِلاَّ أَدْخَلَهُمُ اللَّهُ الْجَنَّةَ بِفَضْلِ رَحْمَةِ اللَّهِ إِيَّاهُمْ».**

1606 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا إِسْحَاقُ بْنُ يُوسُفَ، عَنِ الْعَوَّامِ بْنِ حَوْشَبٍ، عَنْ أَبِي مُحَمَّدٍ، مَوْلَى عُمَرَ بْنِ الْخَطَّابِ، عَنْ أَبِي عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ قَدَّمَ ثَلاَثَةً مِنَ الْوَلَدِ لَمْ يَبْلُغُوا الْحِنْثَ كَانُوا لَهُ حِصْناً حَصِيناً مِنَ النَّارِ»** فَقَالَ أَبُو ذَرٍّ: قَدَّمْتُ اثْنَيْنِ. قَالَ: **«وَاثْنَيْنِ»** فَقَالَ أُبَيُّ بْنُ كَعْبٍ، سَيِّدُ الْقُرَّاءِ: قَدَّمْتُ وَاحِداً. قَالَ: **«وَوَاحِداً».**

58 ـ بابُ ما جَاءَ فِيمَنْ أُصِيبَ بِسِقْطٍ

1607 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. قَالَ: حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ. حَدَّثَنَا يَزِيدُ بْنُ عَبْدِ الْمَلِكِ النَّوْفَلِيُّ، عَنْ يَزِيدَ بْنِ رُومَانَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ

miscarriage (i.e. a fetus from my wife who falls during pregnancy) before me is much dearer to me than to leave (even) a horseman to live after me."

1608- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The (fetus coming from) miscarriage strives his utmost (in intercession) with his Lord when He admits them to the fire (of Hell), thereupon it will be said to him: "O (fetus resulting from) miscarriage, who strives with his Lord (to have his intercession for his parents accepted): admit your parents to the Garden." Then, he will drag them with the help of his umbilical cord until he admits them to the Garden."

1609- It is narrated on the authority of Mu'adh Ibn Jabal that the Messenger of Allah "Allah's blessing and peace be upon him" said: "By Him, in Whose Hand is my soul! The (fetus resulting from) miscarriage will drag his mother with the help of his umbilical cord (to admit her to the Garden) in case she (shows patience on her losing him and) expects the reward of that (from Allah Almighty)."

[59] Sending Food To The Family Of The Deceased

1610- It is narrated on the authority of Abdullah Ibn Ja'far that he said: When the news of Ja'far's death was announced, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Prepare food for the family of Ja'far, for there came upon them such as will divert them (or a matter that will divert them) (from cooking food)."

1611- It is narrated on the authority of Asma' Bint Umais that she said: When Ja'far (Ibn Abu Talib) was killed (in the battle of Mu'tah), the Messenger of Allah "Allah's blessing and peace be upon him" returned to his family and said: "No doubt, Ja'far's family was occupied by their deceased (from cooking food). So, make food for them." Abdullah (a sub-narrator) said: It remained as a part of the sunnah until it has been left recently.

[60] It Is Forbidden To Assemble In The House Of The Family Of The Deceased And Make Food

1612- It is narrated on the authority of Jarir Ibn Abdullah Al-Bajali that he said: We used to regard the assembly in the dwelling place of the family of the deceased, and preparing food (by them) a part of wailing (over the dead which was forbidden).

اللَّهِ ﷺ: «لَسِقْطٌ أُقَدِّمُهُ بَيْنَ يَدَيَّ، أَحَبُّ إِلَيَّ مِنْ فَارِسٍ أُخَلِّفُهُ خَلْفِي».

1608 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ، وَمُحَمَّدُ بْنُ إِسْحَاقَ، أَبُو بَكْرٍ الْبَكَّائِيُّ. قَالاَ: حَدَّثَنَا أَبُو غَسَّانَ. قَالَ: حَدَّثَنَا مِنْدَلٌ، عَنِ الْحَسَنِ بْنِ الْحَكَمِ النَّخَعِيِّ، عَنْ أَسْمَاءَ بِنْتِ عَايِسِ بْنِ رَبِيعَةَ، عَنْ أَبِيهَا، عَنْ عَلِيٍّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ السِّقْطَ لَيُرَاغِمُ رَبَّهُ إِذَا أَدْخَلَ أَبَوَيْهِ النَّارَ. فَيُقَالُ: أَيُّهَا السِّقْطُ الْمُرَاغِمُ رَبَّهُ! أَدْخِلْ أَبَوَيْكَ الْجَنَّةَ. فَيَجُرُّهُمَا بِسَرَرِهِ حَتَّى يُدْخِلَهُمَا الْجَنَّةَ**».

قَالَ أَبُو عَلِيٍّ: يُرَاغِمُ رَبَّهُ، يُغَاضِبُ.

1609 ـ **حدّثنا** عَلِيُّ بْنُ هَاشِمِ بْنِ مَرْزُوقٍ. حَدَّثَنَا عَبِيدَةُ بْنُ حُمَيْدٍ. حَدَّثَنَا يَحْيَىٰ بْنُ عُبَيْدِ اللَّهِ، عَنْ عُبَيْدِ اللَّهِ بْنِ مُسْلِمٍ الْحَضْرَمِيِّ، عَنْ مُعَاذِ بْنِ جَبَلٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «**وَالَّذِي نَفْسِي بِيَدِهِ إِنَّ السِّقْطَ لَيَجُرُّ أُمَّهُ بِسَرَرِهِ إِلَى الْجَنَّةِ، إِذَا احْتَسَبَتْهُ**».

59 ـ بابُ ما جَاءَ في الطَّعَامِ يُبْعَثُ إلى أَهْلِ المَيِّتِ

1610 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ جَعْفَرِ بْنِ خَالِدٍ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ جَعْفَرٍ؛ قَالَ: لَمَّا جَاءَ نَعْيُ جَعْفَرٍ قَالَ رَسُولُ اللَّهِ ﷺ: «**اصْنَعُوا لآلِ جَعْفَرٍ طَعَاماً. فَقَدْ أَتَاهُمْ مَا يَشْغَلُهُمْ، أَوْ أَمْرٌ يَشْغَلُهُمْ**».

1611 ـ **حدّثنا** يَحْيَىٰ بْنُ خَلَفٍ، أَبُو سَلَمَةَ. قَالَ: حَدَّثَنَا عَبْدُ الأَعْلَىٰ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ. حَدَّثَنِي عَبْدُ اللَّهِ بْنُ أَبِي بَكْرٍ، عَنْ أُمِّ عِيسَى الْجَزَّارِ؛ قَالَتْ: حَدَّثَتْنِي أُمُّ عَوْنٍ ابْنَةُ مُحَمَّدِ بْنِ جَعْفَرٍ، عَنْ جَدَّتِهَا أَسْمَاءَ بِنْتِ عُمَيْسٍ قَالَتْ: لَمَّا أُصِيبَ جَعْفَرٌ رَجَعَ رَسُولُ اللَّهِ ﷺ إِلَى أَهْلِهِ فَقَالَ: «**إِنَّ آلَ جَعْفَرٍ قَدْ شُغِلُوا بِشَأْنِ مَيِّتِهِمْ، فَاصْنَعُوا لَهُمْ طَعَاماً**».

قَالَ عَبْدُ اللَّهِ: فَمَا زَالَتْ سُنَّةً، حَتَّى كَانَ حَدِيثاً فَتُرِكَ.

60 ـ بابُ ما جَاءَ في النَّهْيِ عَنِ الاجْتِمَاعِ إلى أَهْلِ المَيِّتِ وَصَنْعَةِ الطَّعَامِ

1612 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. قَالَ: حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ. حَدَّثَنَا هُشَيْمٌ. ح وَحَدَّثَنَا شُجَاعُ بْنُ مَخْلَدٍ، أَبُو الْفَضْلِ. قَالَ: حَدَّثَنَا هُشَيْمٌ، عَنْ إِسْمَاعِيلَ بْنِ أَبِي خَالِدٍ، عَنْ قَيْسِ بْنِ أَبِي حَازِمٍ، عَنْ جَرِيرِ بْنِ عَبْدِ اللَّهِ الْبَجَلِيِّ؛ قَالَ: كُنَّا نَرَى الاِجْتِمَاعَ إِلَى أَهْلِ الْمَيِّتِ، وَصَنْعَةَ الطَّعَامِ، مِنَ النِّيَاحَةِ.

[61] When One Dies As Alien (From His Homeland)

1613- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "One's death while being alien (from his homeland) is (a kind of) martyrdom."

1614- It is narrated on the authority of Abdullah Ibn Amr that he said: A man of those born in Medina died in Medina; and when the Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer for him he said: "Would that he died in a land strange from that in which he was born!" (i.e. would that he was born in a land, other than Medina, and died in Medina which would be thus a strange land for him.) a man from the (present) people said: "What is the reason for that O Messenger of Allah?" he said: "If a man died in a land strange from that where he was born, the space from where he was born to the place where his footsteps ended (by death) will be calculated (to be given) to him in the Garden."

[62] When One Dies Because Of (Certain) Illness

1615- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who dies because of certain illness (as plague), will be regarded to have died as martyr, and will be saved from the affliction of the grave, and his sustenance will be brought to him from the Garden every morning and evening."

[63] It Is Forbidden To Break The Bones Of The Deceased

1616- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Breaking the bone of the deceased is just like (in sin) breaking it as he is living."

Comment: (The occasion of that Hadith is shown in the narration of Jabir, in which he said: We set out in the company of the Messenger of Allah "Allah's blessing and peace be upon him" to follow a funeral procession, and the Messenger of Allah "Allah's blessing and peace be upon him" sat on the edge of the grave, and we sat with him. The digger took out bones of a leg or forearm, and intended to break it, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Do not break that, for your breaking the (bone of) a deceased is just like your breaking it while he is living. But, you could place it in the side of the grave.")

61 ـ بابُ ما جَاءَ فِيمَنْ مَاتَ غَرِيباً

1613 ـ **حدّثنا** جَمِيلُ بْنُ الْحَسَنِ. قَالَ: حَدَّثَنَا أَبُو الْمُنْذِرِ الْهُذَيْلُ بْنُ الْحَكَمِ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي رَوَّادٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَوْتُ غُرْبَةٍ شَهَادَةٌ»**.

1614 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَى. قَالَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. حَدَّثَنِي حُيَيُّ بْنُ عَبْدِ اللَّهِ الْمَعَافِرِيُّ، عَنْ أَبِي عَبْدِ الرَّحْمٰنِ الْحُبُلِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو قَالَ: تُوُفِّيَ رَجُلٌ بِالْمَدِينَةِ مِمَّنْ وُلِدَ بِالْمَدِينَةِ. فَصَلَّى عَلَيْهِ النَّبِيُّ ﷺ فَقَالَ: **«يَا لَيْتَهُ مَاتَ فِي غَيْرِ مَوْلِدِهِ»**. فَقَالَ رَجُلٌ مِنَ النَّاسِ: وَلِمَ يَا رَسُولَ اللَّهِ؟ قَالَ: **«إِنَّ الرَّجُلَ إِذَا مَاتَ فِي غَيْرِ مَوْلِدِهِ قِيسَ لَهُ مِنْ مَوْلِدِهِ إِلَى مُنْقَطَعِ أَثَرِهِ فِي الْجَنَّةِ»**.

62 ـ بابُ ما جَاءَ فِيمَنْ مَاتَ مَرِيضاً

1615 ـ **حدّثنا** أَحْمَدُ بْنُ يُوسُفَ. قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ. قَالَ: أَنْبَأَنَا ابْنُ جُرَيْجٍ. ح وَحَدَّثَنَا أَبُو عُبَيْدَةَ بْنُ أَبِي السَّفَرِ. قَالَ: حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ؛ قَالَ: قَالَ ابْنُ جُرَيْجٍ: أَخْبَرَنِي إِبْرَاهِيمُ بْنُ مُحَمَّدِ بْنِ أَبِي عَطَاءٍ، عَنْ مُوسَى بْنِ وَرْدَانَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ مَاتَ مَرِيضاً مَاتَ شَهِيداً وَوُقِيَ فِتْنَةَ الْقَبْرِ وَغُدِيَ وَرِيحَ عَلَيْهِ بِرِزْقِهِ مِنَ الْجَنَّةِ»**.

63 ـ بابٌ في النَّهْيِ عَنْ كَسْرِ عِظَامِ المَيِّتِ

1616 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. قَالَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ الدَّرَاوَرْدِيُّ. قَالَ: حَدَّثَنَا سَعْدُ بْنُ سَعِيدٍ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«كَسْرُ عَظْمِ الْمَيِّتِ كَكَسْرِهِ حَيًّا»**.

1617- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Breaking the bones of the deceased is just like, in sin, breaking the bones of the living."

[64] The Ailment Of The Messenger Of Allah

1618- It is narrated on the authority of Ubaidullah Ibn Abdullah that he said: I asked A'ishah: "O mother! Tell me about the (fatal) ailment of the Messenger of Allah "Allah's blessing and peace be upon him"." She said: "He became ill and started breathing so loudly as if his breaths were like those of a raisin eater (who ejects seeds from his mouth)." It was his habit to go round his wives (i.e. visit them to spend the night with them by turns); and when he became seriously ill, he asked their permission to stay in the house of A'ishah and they would visit him by turns (and they approved). A'ishah added: "The Messenger of Allah "Allah's blessing and peace be upon him" entered into me supported by two men, with his feet dragging on the ground; and one of those two was Al-Abbas." When I made a mention of that to Ibn Abbas he said: "Do you know who was the other man whom A'ishah did not name? he was Ali Ibn Abu Talib."

1619- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to seek refuge (with Allah from ailment) by those words: "Remove the severity (of ailment) O (Allah) Lord of mankind, and cure me: You always cure (such of Your servants as You please), and there is no healing but Yours, that which leaves no sickness (without removing it)." When the Prophet "Allah's blessing and peace be upon him" became fatally ill I took his hand therewith I started rubbing his body, while saying those (words). But he drew his hand from my hand and said: "O Allah! Forgive for me, and join me to the highest company (of Prophets and men of truth)!" this was the last speech I heard from him "Allah's blessing and peace be upon him".

1620- It is narrated on the authority of A'ishah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "No Prophet grows (fatally) ill but that he will be given the freedom to choose the world or the hereafter." When he grew fatally ill, his voice grew hoarse; and I heard him saying: "(Join me) with the Prophets, men of truth, martyrs and good righteous people." I came to know that he was given the freedom to choose (and that he chose the hereafter).

1617 ـ **حدّثنا** مُحَمَّدُ بْنُ مُعَمَّرٍ. حَدَّثَنَا مُحَمَّدِ بْنُ بَكْرٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ زِيَادٍ. أَخْبَرَنِي أَبُو عُبَيْدَةَ بْنُ عَبْدِ اللَّهِ بْنِ زَمْعَةَ، عَنْ أُمِّهِ، عَنْ أُمِّ سَلَمَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**كَسْرُ عَظْمِ الْمَيْتِ كَكَسْرِ عَظْمِ الْحَيِّ فِي الإِثْمِ**».

64 ـ بابُ ما جَاءَ في ذِكْرِ مَرَضِ رَسُولِ الله ﷺ

1618 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: سَأَلْتُ عَائِشَةَ فَقُلْتُ: أَيْ أُمَّهْ أَخْبِرِينِي عَنْ مَرَضِ رَسُولِ اللَّهِ ﷺ. قَالَتِ: اشْتَكَى فَعَلَقَ يَنْفُثُ. فَجَعَلْنَا نُشَبِّهُ نَفْثَهُ بِنَفْثَةِ آكِلِ الزَّبِيبِ. وَكَانَ يَدُورُ عَلَى نِسَائِهِ. فَلَمَّا ثَقُلَ اسْتَأْذَنَهُنَّ أَنْ يَكُونَ فِي بَيْتِ عَائِشَةَ وَأَنْ يَدُرْنَ عَلَيْهِ.

قَالَتْ: فَدَخَلَ عَلَيَّ رَسُولُ اللَّهِ ﷺ وَهُوَ بَيْنَ رَجُلَيْنِ. وَرِجْلاَهُ تَخُطَّانِ بِالأَرْضِ. أَحَدُهُمَا الْعَبَّاسُ.

فَحَدَّثْتُ بِهِ ابْنَ عَبَّاسٍ فَقَالَ: أَتَدْرِي مَنِ الرَّجُلُ الَّذِي لَمْ تُسَمِّهِ عَائِشَةُ؟ هُوَ عَلِيُّ بْنُ أَبِي طَالِبٍ.

1619 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ النَّبِيُّ ﷺ يَتَعَوَّذُ بِهٰؤُلاَءِ الْكَلِمَاتِ «**أَذْهِبِ الْبَاسَ. رَبَّ النَّاسِ. وَاشْفِ أَنْتَ الشَّافِي. لاَ شِفَاءَ إِلاَّ شِفَاؤُكَ. شِفَاءً لاَ يُغَادِرُ سَقَماً**» فَلَمَّا ثَقُلَ النَّبِيُّ ﷺ فِي مَرَضِهِ الَّذِي مَاتَ فِيهِ أَخَذْتُ بِيَدِهِ فَجَعَلْتُ أَمْسَحُهُ وَأَقُولُهَا. فَنَزَعَ يَدَهُ مِنْ يَدِي ثُمَّ قَالَ: «**اللَّهُمَّ اغْفِرْ لِي وَأَلْحِقْنِي بِالرَّفِيقِ الأَعْلَى**». قَالَتْ: فَكَانَ هٰذَا آخِرَ مَا سَمِعْتُ مِنْ كَلاَمِهِ ﷺ.

1620 ـ **حدّثنا** أَبُو مَرْوَانَ الْعُثْمَانِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنْ أَبِيهِ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَا مِنْ نَبِيٍّ يَمْرَضُ إِلاَّ خُيِّرَ بَيْنَ الدُّنْيَا وَالآخِرَةِ**». قَالَتْ: فَلَمَّا كَانَ مَرَضُهُ الَّذِي قُبِضَ فِيهِ أَخَذَتْهُ بُحَّةٌ فَسَمِعْتُهُ يَقُولُ: ﴿مَعَ ٱلَّذِينَ أَنْعَمَ ٱللَّهُ عَلَيْهِم مِّنَ ٱلنَّبِيِّـۧنَ وَٱلصِّدِّيقِينَ وَٱلشُّهَدَآءِ وَٱلصَّٰلِحِينَ﴾ [النساء: 69] فَعَلِمْتُ أَنَّهُ خُيِّرَ.

1621- It is narrated on the authority of A'ishah that she said: The wives of the Messenger of Allah "Allah's blessing and peace be upon him" gathered, and none of them was absent. Then, Fatimah (daughter of the Prophet) came, as if her walk was that of the Messenger of Allah "Allah's blessing and peace be upon him". He said to her: "Welcome to my daughter!" he made her sit on his left side, and he told her something in secrecy, thereupon she went on weeping. A while later, he told her something in secrecy, thereupon she smiled. I asked her: "What made you weep?" she said: "I'm not to make public the secret of the Messenger of Allah "Allah's blessing and peace be upon him"." I said: "I've never seen joy much closer (in time) to sadness than (I've seen) today." When she wept, I said to her: "Has the Messenger of Allah "Allah's blessing and peace be upon him" favoured you from amongst us with a speech and you weep?" I asked her about what he said, and she said: "I'm not to make public the secret of the Messenger of Allah "Allah's blessing and peace be upon him"." When the Messenger of Allah "Allah's blessing and peace be upon him" died, I asked her about what he said, and she said: "He told me that it was the habit of Gabriel to review the Qur'an with him once a year, and this year, he reviewed it with him twice, "and I do not think but that portends the coming of my term; and that you would be the first from amongst my family to join me: and how good predecessor I'm for you." Then I wept. Then, he said to me in secret: "Would you not be pleased to be the chief of the believing women, or the (chief of the) women of this nation?" On that I smiled."

1622- It is narrated on the authority of A'ishah that she said: I've never seen anyone whose pain (of fatal illness) was more severe than that of the Messenger of Allah "Allah's blessing and peace be upon him".

1623- It is narrated on the authority of A'ishah that she said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" during his last agonies, and he had a utensil of water, in which he would place his hand, and rub his face with the water, saying: "O Allah! Help me endure the agonies of death!"

1624- It is narrated on the authority of Anas Ibn Malik that he said: The last glimpse I caught of the Messenger of Allah "Allah's blessing and peace be upon him" was on Monday, when he lifted the curtain, and I looked at his face, which was (as bright, honoured, and wonderful) as a page from the Mushaf. The people were offering prayer behind Abu Bakr, who intended to move back, but he (the Prophet) gestured to him to remain in his place,

1621 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ زَكَرِيَّا، عَنْ فِرَاسٍ، عَنْ عَامِرٍ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: اجْتَمَعْنَ نِسَاءُ النَّبِيِّ ﷺ. فَلَمْ تُغَادِرْ مِنْهُنَّ امْرَأَةٌ. فَجَاءَتْ فَاطِمَةُ كَأَنَّ مِشْيَتَهَا مِشْيَةُ رَسُولِ اللَّهِ ﷺ. فَقَالَ: «**مَرْحَباً بِابْنَتِي**» ثُمَّ أَجْلَسَهَا عَنْ شِمَالِهِ. ثُمَّ إِنَّهُ أَسَرَّ إِلَيْهَا حَدِيثاً. فَبَكَتْ فَاطِمَةُ. ثُمَّ إِنَّهُ سَارَّهَا. فَضَحِكَتْ أَيْضاً. فَقُلْتُ لَهَا: مَا يُبْكِيكِ؟ قَالَتْ: مَا كُنْتُ لِأُفْشِيَ سِرَّ رَسُولِ اللَّهِ ﷺ. فَقُلْتُ: مَا رَأَيْتُ كَالْيَوْمِ فَرَحاً أَقْرَبَ مِنْ حُزْنٍ. فَقُلْتُ لَهَا حِينَ بَكَتْ: أَخَصَّكِ رَسُولُ اللَّهِ ﷺ بِحَدِيثٍ دُونَنَا ثُمَّ تَبْكِينَ؟ وَسَأَلْتُهَا عَمَّا قَالَ. فَقَالَتْ: مَا كُنْتُ لِأُفْشِيَ سِرَّ رَسُولِ اللَّهِ ﷺ. حَتَّى إِذَا قُبِضَ سَأَلْتُهَا عَمَّا قَالَ. فَقَالَتْ: إِنَّهُ كَانَ يُحَدِّثُنِي أَنَّ جِبْرَائِيلَ كَانَ يُعَارِضُهُ بِالْقُرْآنِ فِي كُلِّ عَامٍ مَرَّةً. وَأَنَّهُ عَارَضَهُ بِهِ الْعَامَ مَرَّتَيْنِ «**وَلاَ أُرَانِي إِلاَّ قَدْ حَضَرَ أَجَلِي. وَأَنَّكِ أَوَّلُ أَهْلِي لُحُوقاً بِي. وَنِعْمَ السَّلَفُ أَنَا لَكِ**» فَبَكَيْتُ. ثُمَّ إِنَّهُ سَارَّنِي فَقَالَ: «**أَلاَ تَرْضَيْنَ أَنْ تَكُونِي سَيِّدَةَ نِسَاءِ الْمُؤْمِنِينَ، أَوْ نِسَاءِ هٰذِهِ الأُمَّةِ؟**» فَضَحِكْتُ لِذٰلِكَ.

1622 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا صَعْبُ بْنُ الْمِقْدَامِ. حَدَّثَنَا سُفْيَانُ، عَنِ الأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ مَسْرُوقٍ؛ قَالَ: قَالَتْ عَائِشَةُ: مَا رَأَيْتُ أَحَداً أَشَدَّ عَلَيْهِ الْوَجَعُ مِنْ رَسُولِ اللَّهِ ﷺ.

1623 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يُونُسُ بْنُ مُحَمَّدٍ. حَدَّثَنَا لَيْثُ بْنُ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ مُوسَى بْنِ سَرْجِسَ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ؛ قَالَتْ: رَأَيْتُ رَسُولَ اللَّهِ ﷺ وَهُوَ يَمُوتُ وَعِنْدَهُ قَدَحٌ فِيهِ مَاءٌ. فَيُدْخِلُ يَدَهُ فِي الْقَدَحِ، ثُمَّ يَمْسَحُ وَجْهَهُ بِالْمَاءِ ثُمَّ يَقُولُ: «**اللَّهُمَّ أَعِنِّي عَلَى سَكَرَاتِ الْمَوْتِ**».

1624 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، سَمِعَ أَنَسَ بْنَ مَالِكٍ يَقُولُ: آخِرُ نَظْرَةٍ نَظَرْتُهَا إِلَى رَسُولِ اللَّهِ ﷺ، كَشْفُ السِّتَارَةِ يَوْمَ الاِثْنَيْنِ. فَنَظَرْتُ إِلَى وَجْهِهِ كَأَنَّهُ وَرَقَةُ مُصْحَفٍ وَالنَّاسُ خَلْفَ أَبِي بَكْرٍ فِي الصَّلاَةِ. فَأَرَادَ أَنْ يَتَحَرَّكَ فَأَشَارَ إِلَيْهِ أَنِ اثْبُتْ. وَأَلْقَى السِّجْفَ. وَمَاتَ فِي آخِرِ ذٰلِكَ الْيَوْمِ.

(and carry on the prayer). Then, he drew the curtain, and died at the last portion of this day.

1625- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to say during his fatal illness: "(Guard the habit of offering) the prayer, and (fulfill what is due upon you pertaining to) what your right hands possess." He kept saying that (statement) until his tongue failed to flow with it.

1626- It is narrated on the authority of Al-Aswad that they mentioned in the presence of A'ishah that Ali was made a trustee (by the Prophet), thereupon she said: "When did he entrust (anything) to him? I was supporting him against my breast or my lap when he asked for a vessel (of water), and then he inclined in my lap and died, and I did not feel (that he died): then, when did he "Allah's blessing and peace be upon him" make a bequest?

[65] The Death And Burial Of The Messenger Of Allah

1627- It is narrated on the authority of A'ishah that she said: When the Messenger of Allah "Allah's blessing and peace be upon him" died, Abu Bakr was with his wife the daughter of Kharijah in the Heights (of Medina), and the people started saying: "The Messenger of Allah "Allah's blessing and peace be upon him" did not die, but he was overtaken by such a state as would overtake him whenever he was being Divinely revealed." Abu Bakr came in, uncovered his face and kissed (the area) between his eyes and then said: "You are too dear to Allah to cause you to die twice. By Allah! the Messenger of Allah "Allah's blessing and peace be upon him" really died." At that time, Umar was standing in one side of the mosque, and he was saying: "By Allah! the Messenger of Allah "Allah's blessing and peace be upon him" did not die; and he will not die until he cut off the hands and legs of lots of hypocrites." Abu Bakr stood and ascended the pulpit, and then addressed the people: "Whoever worshipped Allah, Allah is alive and will never die and whoever worshipped Muhammad, then Muhammad died. Allah said: "Muhammad is no more than a Messenger: many were the Messengers that passed away before him. If he died or were slain, will you then turn back on your heels? If any do turn back on his heels, not the least harm will he do to Allah; but Allah (on the other hand) will swiftly reward those who (serve him) with gratitude." (Al Imran 144; 145) Umar said: "It seemed as if I have never recited this (Holy Statement) but at that time."

1625 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. حَدَّثَنَا هَمَّامٌ، عَنْ قَتَادَةَ، عَنْ صَالِحٍ أَبِي الْخَلِيلِ، عَنْ سَفِينَةَ، عَنْ أُمِّ سَلَمَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَقُولُ فِي مَرَضِهِ الَّذِي تُوُفِّيَ فِيهِ: «**الصَّلاةَ، وَمَا مَلَكَتْ أَيْمَانُكُمْ**». فَمَا زَالَ يَقُولُهَا حَتَّى مَا يَفِيضُ بِهَا لِسَانُهُ.

1626 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنِ ابْنِ عَوْنٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ؛ قَالَ: ذَكَرُوا عِنْدَ عَائِشَةَ أَنَّ عَلِيًّا كَانَ وَصِيًّا. فَقَالَتْ: مَتَى أَوْصَى إِلَيْهِ؟ فَلَقَدْ كُنْتُ مُسْنِدَتَهُ إِلَى صَدْرِي، أَوْ إِلَى حِجْرِي. فَدَعَا بِطَسْتٍ. فَلَقَدِ انْخَنَثَ فِي حَجْرِي فَمَاتَ، وَمَا شَعَرْتُ بِهِ. فَمَتَى أَوْصَى ﷺ؟

65 ـ بابُ ذِكْرِ وَفَاتِهِ ودَفْنِهِ ﷺ

1627 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي بَكْرٍ، عَنِ ابْنِ أَبِي مُلَيْكَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: لَمَّا قُبِضَ رَسُولُ اللَّهِ ﷺ، وَأَبُو بَكْرٍ عِنْدَ امْرَأَتِهِ، ابْنَةِ خَارِجَةَ، بِالْعَوَالِي. فَجَعَلُوا يَقُولُونَ: لَمْ يَمُتِ النَّبِيُّ ﷺ. إِنَّمَا هُوَ بَعْضُ مَا كَانَ يَأْخُذُهُ عِنْدَ الْوَحْيِ. فَجَاءَ أَبُو بَكْرٍ، فَكَشَفَ عَنْ وَجْهِهِ، وَقَبَّلَ بَيْنَ عَيْنَيْهِ وَقَالَ: أَنْتَ أَكْرَمُ عَلَى اللَّهِ أَنْ يُمِيتَكَ مَرَّتَيْنِ. قَدْ، وَاللَّهِ مَاتَ رَسُولُ اللَّهِ ﷺ. وَعُمَرُ فِي نَاحِيَةِ الْمَسْجِدِ يَقُولُ: وَاللَّهِ مَا مَاتَ رَسُولُ اللَّهِ ﷺ. وَلاَ يَمُوتُ حَتَّى يَقْطَعَ أَيْدِيَ أُنَاسٍ مِنَ الْمُنَافِقِينَ، كَثِيرٍ، وَأَرْجُلَهُمْ. فَقَامَ أَبُو بَكْرٍ فَصَعِدَ الْمِنْبَرَ فَقَالَ: مَنْ كَانَ يَعْبُدُ اللَّهَ فَإِنَّ اللَّهَ حَيٌّ لَمْ يَمُتْ. وَمَنْ كَانَ يَعْبُدُ مُحَمَّداً فَإِنَّ مُحَمَّداً قَدْ مَاتَ ﴿وَمَا مُحَمَّدٌ إِلَّا رَسُولٌ قَدْ خَلَتْ مِن قَبْلِهِ ٱلرُّسُلُ أَفَإِيْن مَّاتَ أَوْ قُتِلَ ٱنقَلَبْتُمْ عَلَىٰٓ أَعْقَـٰبِكُمْ وَمَن يَنقَلِبْ عَلَىٰ عَقِبَيْهِ فَلَن يَضُرَّ ٱللَّهَ شَيْـًٔا وَسَيَجْزِى ٱللَّهُ ٱلشَّـٰكِرِينَ﴾ [آل عمران: 144].

قَالَ عُمَرُ: فَلَكَأَنِّي لَمْ أَقْرَأْهَا إِلاَّ يَوْمَئِذٍ.

1628- It is narrated on the authority of Ibn Abbas that he said: When they intended to bury the Messenger of Allah "Allah's blessing and peace be upon him", they sent to both Abu Ubaidah Ibn Al-Jarrah, who used to dig tombs like those of the inhabitants of Mecca, and Abu Talhah, who used to dig graves for the inhabitants of Medina. They sent two messengers to them and said: "O Allah! Choose what is better for Your Messenger!" Abu Talhah was found and he brought, and Abu Ubaidah was not found. Thus (it was Abu Talhah) who dug a grave for the Messenger of Allah "Allah's blessing and peace be upon him". After they had finished from preparing him, he was placed on his deathbed in his dwelling place, and the people entered into the Messenger of Allah "Allah's blessing and peace be upon him" in groups to offer funeral prayer for him, and when they finished, women were made to enter, and when they finished, boys were made to enter; and none led the funeral prayer on the Messenger of Allah "Allah's blessing and peace be upon him". At the same time, the Muslims differed as to where they would dig the grave of the Messenger of Allah "Allah's blessing and peace be upon him". Some said that he should be buried in the mosque; and others said that he should be buried with his companions. But Abu Bakr said: No doubt, I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "No Prophet died but that he would be buried just where he died." Thus, they raised the bed of the Messenger of Allah "Allah's blessing and peace be upon him", on which he died, and dug his grave (underneath it). Then, the Messenger of Allah "Allah's blessing and peace be upon him" was buried at midnight on the night before Wednesday. Ali Ibn Abu Talib, Al-Fadl Ibn Al-Abbas and his brother Qutham in addition to Shukran, the freed slave of the Messenger of Allah "Allah's blessing and peace be upon him" descended the grave. Aws Ibn Khawli known as Abu Laila said to Ali Ibn Abu Talib: "I beseech you by Allah (to let us get) our portion from the Messenger of Allah "Allah's blessing and peace be upon him"." Ali gave him permission to descend with them. Shukran, his (the Prophet's) freed slave, took a piece of amaranth which the Messenger of Allah "Allah's blessing and peace be upon him" used to wear and buried it in the grave, saying: "By Allah! None will ever wear it after you." It was buried (in the grave) with the Messenger of Allah "Allah's blessing and peace be upon him".

1629- It is narrated on the authority of Anas Ibn Malik that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" experienced such distress of death as he felt, Fatimah said: "How distressed is my father!" on that the Messenger of Allah "Allah's blessing and peace

1628 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. أَنْبَأَنَا وَهْبُ بْنُ جَرِيرٍ. حَدَّثَنَا أَبِي عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ. حَدَّثَنِي حُسَيْنُ بْنُ عَبْدِ اللَّهِ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: لَمَّا أَرَادُوا أَنْ يَحْفِرُوا لِرَسُولِ اللَّهِ ﷺ بَعَثُوا إِلَى أَبِي عُبَيْدَةَ بْنِ الْجَرَّاحِ، وَكَانَ يَضْرَحُ كَضَرِيحِ أَهْلِ مَكَّةَ. وَبَعَثُوا إِلَى أَبِي طَلْحَةَ. وَكَانَ هُوَ الَّذِي يَحْفِرُ لأَهْلِ الْمَدِينَةِ. وَكَانَ يَلْحَدُ. فَبَعَثُوا إِلَيْهِمَا رَسُولَيْنِ. فَقَالُوا: اللَّهُمَّ خِرْ لِرَسُولِكَ. فَوَجَدُوا أَبَا طَلْحَةَ. فَجِيءَ بِهِ. وَلَمْ يُوجَدْ أَبُو عُبَيْدَةَ. فَلَحَدَ لِرَسُولِ اللَّهِ ﷺ.

قَالَ، فَلَمَّا فَرَغُوا مِنْ جِهَازِهِ يَوْمَ الثُّلاَثَاءِ، وُضِعَ عَلَى سَرِيرِهِ فِي بَيْتِهِ. ثُمَّ دَخَلَ النَّاسُ عَلَى رَسُولِ اللَّهِ ﷺ أَرْسَالاً. يُصَلُّونَ عَلَيْهِ. حَتَّى إِذَا فَرَغُوا أَدْخَلُوا النِّسَاءَ. حَتَّى إِذَا فَرَغُوا أَدْخَلُوا الصِّبْيَانَ. وَلَمْ يَؤُمَّ النَّاسَ عَلَى رَسُولِ اللَّهِ ﷺ أَحَد.

لَقَدِ اخْتَلَفَ الْمُسْلِمُونَ فِي الْمَكَانِ الَّذِي يُحْفَرُ لَهُ. فَقَالَ قَائِلُونَ: يُدْفَنُ فِي مَسْجِدِهِ. وَقَال قَائِلُونَ: يُدْفَنُ مَعَ أَصْحَابِهِ. فَقَالَ أَبُو بَكْرٍ: إِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَا قُبِضَ نَبِيٌّ إِلاَّ دُفِنَ حَيْثُ يُقْبَضُ**». قَالَ، فَرَفَعُوا فِرَاشَ رَسُولِ اللَّهِ ﷺ الَّذِي تُوُفِّيَ عَلَيْهِ. فَحَفَرُوا لَهُ، ثُمَّ دُفِنَ ﷺ وَسْطَ اللَّيْلِ مِنْ لَيْلَةِ الأَرْبِعَاءِ. وَنَزَلَ فِي حُفْرَتِهِ عَلِيُّ بْنُ أَبِي طَالِبٍ، وَالْفَضْلُ بْنُ الْعَبَّاسِ، وَقُثَمُ أَخُوهُ، وَشُقْرَانُ مَوْلَى رَسُولِ اللَّهِ ﷺ. وَقَالَ أَوْسُ بْنُ خَوْلِيٍّ، وَهُوَ أَبُو لَيْلَى، لِعَلِيِّ بْنِ أَبِي طَالِبٍ: أَنْشُدُكَ اللَّهَ وَحَظَّنَا مِنْ رَسُولِ اللَّهِ ﷺ. قَالَ لَهُ عَلِيٌّ: انْزِلْ. وَكَانَ شُقْرَانُ، مَوْلاَهُ، أَخَذَ قَطِيفَةً كَانَ رَسُولُ اللَّهِ ﷺ يَلْبَسُهَا. فَدَفَنَهَا فِي الْقَبْرِ وَقَالَ: وَاللَّهِ لاَ يَلْبَسُهَا أَحَدٌ بَعْدَكَ أَبَداً. فَدُفِنَتْ مَعَ رَسُولِ اللَّهِ ﷺ.

1629 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الزُّبَيْرِ، أَبُو الزُّبَيْرِ. حَدَّثَنَا ثَابِتٌ الْبُنَانِيُّ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: لَمَّا وَجَدَ رَسُولُ اللَّهِ ﷺ مِنْ كَرْبِ الْمَوْتِ مَا وَجَدَ، قَالَتْ فَاطِمَةُ وَاكَرْبَ أَبَتَاهْ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ كَرْبَ عَلَى أَبِيكِ بَعْدَ**

be upon him" said to her: "There will be no distress upon your father after today. Your father has been overtaken by such (death) as will never leave anyone (of the creatures, after which there will be) the meeting on the Day of Judgement."

1630- It is narrated on the authority of Anas Ibn Malik that he said: Fatimah said to me: "O Anas! How did your souls allow you to throw (handfuls of) dust on (the body of) The Messenger of Allah "Allah's blessing and peace be upon him"?"

It is narrated on the authority of Thabit from Anas that when the Messenger of Allah "Allah's blessing and peace be upon him" died, Fatimah said (in lamentation of him): "O my Father! To Gabriel I announce the news of his death! O my father! How close he is now to (the Presence of) his Lord! O my father! The Paradise (of Eternity) is his (final) abode! O my Father! He indeed responded to the Lord Who called him (unto His Presence)!" Hammad (a sub-narrator) said: I saw Thabit having gone on weeping when he related this narration so much that I observed the dislocation of his ribs .

1631- It is narrated on the authority of Anas that he said: When it was the day on which the Messenger of Allah "Allah's blessing and peace be upon him" entered Medina, everything therein lighted up; and when it was the day on which he died, everything therein darkened; and we had no sooner finished from (the burial ceremonies of) The Messenger of Allah "Allah's blessing and peace be upon him" than we came to reject our hearts (i.e. the state in which we came to be after his death in comparison with that in which we was during his lifetime).

1632- It is narrated on the authority of Ibn Umar that he said: We used not to speak at ease nor (to transgress the due bounds of) pleasure with our women during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", for fear that the Divine Revelation might be sent in connection with us. But when the Messenger of Allah "Allah's blessing and peace be upon him" died, we came to speak at ease (with them).

1633- It is narrated on the authority of Ubai Ibn Ka'b that he said: When we were with the Messenger of Allah "Allah's blessing and peace be upon him" (i.e. during his lifetime) we had the same face (i.e. the same objective of establishing the principles of the religion); and when he died, we came to look as such (here) and as such (there) (i.e. we dispersed and became of different aims and intentions).

الْيَوْمِ. إِنَّهُ قَدْ حَضَرَ مِنْ أَبِيكِ مَا لَيْسَ بِتَارِكٍ مِنْهُ أَحَداً. الْمُوَافَاةُ يَوْمَ الْقِيَامَةِ».

1630 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو أُسَامَةَ. حَدَّثَنِي حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنِي ثَابِتٌ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَتْ لِي فَاطِمَةُ: يَا أَنَسُ كَيْفَ سَخَتْ أَنْفُسُكُمْ أَنْ تَحْثُوا التُّرَابَ عَلَى رَسُولِ اللَّهِ ﷺ؟.

وحدّثنا ثَابِتٌ، عَنْ أَنَسٍ؛ أَنَّ فَاطِمَةَ قَالَتْ، حِينَ قُبِضَ رَسُولُ اللَّهِ ﷺ: وَاأَبَتَاهْ. إِلَى جِبْرَائِيلَ أَنْعَاهْ. وَاأَبَتَاهْ. مِنْ رَبِّهِ مَا أَدْنَاهْ. وَاأَبَتَاهْ. جَنَّةُ الْفِرْدَوْسِ مَأْوَاهْ. وَاأَبَتَاهْ. أَجَابَ رَبًّا دَعَاهْ.

قَالَ حَمَّادٌ: فَرَأَيْتُ ثَابِتاً، حِينَ حَدَّثَ بِهٰذَا الْحَدِيثِ، بَكَى حَتَّى رَأَيْتُ أَضْلاَعَهُ تَخْتَلِفُ.

1631 ـ **حدّثنا** بِشْرُ بْنُ هِلاَلٍ الصَّوَّافُ. حَدَّثَنَا جَعْفَرُ بْنُ سُلَيْمَانَ الضُّبَعِيُّ. حَدَّثَنَا ثَابِتٌ، عَنْ أَنَسٍ؛ قَالَ: لَمَّا كَانَ الْيَوْمُ الَّذِي دَخَلَ فِيهِ رَسُولُ اللَّهِ ﷺ الْمَدِينَةَ، أَضَاءَ مِنْهَا كُلُّ شَيْءٍ. فَلَمَّا كَانَ الْيَوْمُ الَّذِي مَاتَ فِيهِ، أَظْلَمَ مِنْهَا كُلُّ شَيْءٍ. وَمَا نَفَضْنَا عَنِ النَّبِيِّ ﷺ الأَيْدِيَ حَتَّى أَنْكَرْنَا قُلُوبَنَا.

1632 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. أَخْبَرَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا سُفْيَانُ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: كُنَّا نَتَّقِي الْكَلاَمَ وَالاِنْبِسَاطَ إِلَى نِسَائِنَا عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ، مَخَافَةَ أَنْ يُنْزَلَ فِينَا الْقُرْآنُ. فَلَمَّا مَاتَ رَسُولُ اللَّهِ ﷺ تَكَلَّمْنَا.

1633 ـ **حدّثنا** إِسْحَاقُ بْنُ مَنْصُورٍ. أَنْبَأَنَا عَبْدُ الْوَهَّابِ بْنُ عَطَاءٍ الْعِجْلِيُّ، عَنِ ابْنِ عَوْنٍ، عَنِ الْحَسَنِ، عَنْ أُبَيِّ بْنِ كَعْبٍ؛ قَالَ: كُنَّا مَعَ رَسُولِ اللَّهِ ﷺ وَإِنَّمَا وَجْهُنَا وَاحِدٌ. فَلَمَّا قُبِضَ نَظَرْنَا هٰكَذَا وَهٰكَذَا.

1634- It is narrated on the authority of Umm Salamah Bint Abu Umayyah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", that she said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", the people were in such a state as whenever anyone of them stood to offer the prayer, his sight would not go beyond the place of his feet. When the Messenger of Allah "Allah's blessing and peace be upon him" died (and Abu Bakr became the caliph), (they came to be in the state that) whenever anyone of them stood to offer the prayer, his sight would not go beyond the place of his forehead (i.e. the place of prostration). When Abu Bakr died and Umar came (to be the Commander of the Believers), (they became in the state that) whenever anyone of them stood to offer the prayer, his sight would not go beyond the direction of the Qiblah. Then, Uthman Ibn Affan came (to be the caliph), and there came the affliction, therewith the people went on turning rightward and leftward.

1635- It is narrated on the authority of Anas that he said: After the Messenger of Allah "Allah's blessing and peace be upon him" had died, Abu Bakr said to Umar: "Let's visit Umm Ayman as the Messenger of Allah "Allah's blessing and peace be upon him" used to visit her." When we reached her house, she went on weeping, thereupon both said to her: "What makes you weep? No doubt, what is in the Presence of Allah is much better for His Messenger." She said: "I know with certainty that what is in the Presence of Allah is much better for His Messenger. But I weep for the Divine Revelation has ceased (to be sent down as it was) from the Heaven." She prompted them to weep, and they went on weeping with her.

1636- It is narrated on the authority of Aws Ibn Aws that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The best of your days is Friday: on it Adam was created, and on it there will be the (second) sounding (of the trumpet pertaining to resurrection) and the (first sounding of the) swoon. So, invoke for (Allah's) prayer upon me so much on it, for your prayers (upon me) will be shown to me." A man asked: "O Messenger of Allah! How should our prayers be shown to you and you will have (died and become bones) decomposed?" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah has forbidden the earth to eat up the bodies of the Prophets."

1634 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا خَالِدُ بْنُ مُحَمَّدِ بْنِ إِبْرَاهِيمَ بْنِ الْمُطَّلِبِ بْنِ السَّائِبِ بْنِ أَبِي وَدَاعَةَ السَّهْمِيُّ. حَدَّثَنِي مُوسَى بْنُ عَبْدِ اللَّهِ بْنِ أَبِي أُمَيَّةَ الْمَخْزُومِيُّ. حَدَّثَنِي مُصْعَبُ بْنُ عَبْدِ اللَّهِ، عَنْ أُمِّ سَلَمَةَ بِنْتِ أَبِي أُمَيَّةَ، زَوْجِ النَّبِيِّ ﷺ؛ أَنَّهَا قَالَتْ: كَانَ النَّاسُ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ، إِذَا قَامَ الْمُصَلِّي يُصَلِّي لَمْ يَعْدُ بَصَرُ أَحَدِهِمْ مَوْضِعَ قَدَمَيْهِ. فَلَمَّا تُوُفِّيَ رَسُولُ اللَّهِ ﷺ، فَكَانَ النَّاسُ إِذَا قَامَ أَحَدُهُمْ يُصَلِّي لَمْ يَعْدُ بَصَرُ أَحَدِهِمْ مَوْضِعَ جَبِينِهِ. فَتُوُفِّيَ أَبُو بَكْرٍ، وَكَانَ عُمَرُ. فَكَانَ النَّاسُ إِذَا قَامَ أَحَدُهُمْ يُصَلِّي لَمْ يَعْدُ بَصَرُ أَحَدِهِمْ مَوْضِعَ الْقِبْلَةِ. وَكَانَ عُثْمَانُ بْنُ عَفَّانَ، فَكَانَتِ الْفِتْنَةُ. فَتَلَفَّتَ النَّاسُ يَمِيناً وَشِمَالاً.

1635 ـ **حدّثنا** الْحَسَنُ بْنُ عَلِيٍّ الْخَلاَّلُ. حَدَّثَنَا عَمْرُو بْنُ عَاصِمٍ. حَدَّثَنَا سُلَيْمَانُ بْنُ الْمُغِيرَةِ، عَنْ ثَابِتٍ، عَنْ أَنَسٍ؛ قَالَ: قَالَ أَبُو بَكْرٍ، بَعْدَ وَفَاةِ رَسُولِ اللَّهِ ﷺ لِعُمَرَ: انْطَلِقْ بِنَا إِلَى أُمِّ أَيْمَنَ نَزُورُهَا كَمَا كَانَ رَسُولُ اللَّهِ ﷺ يَزُورُهَا. قَالَ، فَلَمَّا انْتَهَيْنَا إِلَيْهَا بَكَتْ. فَقَالاَ لَهَا: مَا يُبْكِيكِ؟ فَمَا عِنْدَ اللَّهِ خَيْرٌ لِرَسُولِهِ. قَالَتْ: إِنِّي لأَعْلَمُ أَنَّ مَا عِنْدَ اللَّهِ خَيْرٌ لِرَسُولِهِ. وَلٰكِنْ أَبْكِي لأَنَّ الْوَحْيَ قَدِ انْقَطَعَ مِنَ السَّمَاءِ. قَالَ، فَهَيَّجَتْهُمَا عَلَى الْبُكَاءِ، فَجَعَلاَ يَبْكِيَانِ مَعَهَا.

1636 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا الْحُسَيْنُ بْنُ عَلِيٍّ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ بْنِ جَابِرٍ، عَنْ أَبِي الأَشْعَثِ الصَّنْعَانِيِّ، عَنْ أَوْسِ بْنِ أَوْسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ مِنْ أَفْضَلِ أَيَّامِكُمْ يَوْمَ الْجُمُعَةِ. فِيهِ خُلِقَ آدَمُ. وَفِيهِ النَّفْخَةُ. وَفِيهِ الصَّعْقَةُ. فَأَكْثِرُوا عَلَيَّ مِنَ الصَّلاَةِ فِيهِ، فَإِنَّ صَلاَتَكُمْ مَعْرُوضَةٌ عَلَيَّ»**، فَقَالَ رَجُلٌ: يَا رَسُولَ اللَّهِ كَيْفَ تُعْرَضُ صَلاَتُنَا عَلَيْكَ وَقَدْ أَرَمْتَ؟ يَعْنِي بَلِيتَ. قَالَ: **«إِنَّ اللَّهَ حَرَّمَ عَلَى الأَرْضِ أَنْ تَأْكُلَ أَجْسَادَ الأَنْبِيَاءِ»**.

1637- It is narrated on the authority of Abu Ad-Darda' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Invoke for (Allah's) Prayer upon me so much on Friday, for it is witnessed, i.e. the angels attend on it, and no one invokes for (Allah's) Prayer upon me but that his prayer will be shown to me until he finishes from it." I asked: "Will that be (also applicable) after your death?" he said: "It will be (applicable) also after my death. No doubt, Allah has forbidden earth to eat up the bodies of the Prophets' and Allah's Prophet (i.e. himself) is living, getting his sustenance (in the Presence of his Lord)."

1637 ـ حدّثنا عَمْرُو بْنُ سَوَّادٍ الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ، عَنْ عَمْرِو بْنِ الْحَرِثِ، عَنْ سَعِيدِ بْنِ أَبِي هِلاَلٍ، عَنْ زَيْدِ بْنِ أَيْمَنٍ، عَنْ عُبَادَةَ بْنِ نُسَيٍّ، عَنْ أَبِي الدَّرْدَاءِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَكْثِرُوا الصَّلاَةَ عَلَيَّ يَوْمَ الْجُمُعَةِ. فَإِنَّهُ مَشْهُودٌ تَشْهَدُهُ الْمَلاَئِكَةُ. وَإِنَّ أَحَداً لَنْ يُصَلِّيَ عَلَيَّ إِلاَّ عُرِضَتْ عَلَيَّ صَلاَتُهُ حَتَّى يَفْرُغَ مِنْهَا»** قَالَ قُلْتُ: وَبَعْدَ الْمَوْتِ؟ قَالَ: **«وَبَعْدَ الْمَوْتِ. إِنَّ اللَّهَ حَرَّمَ عَلَى الأَرْضِ أَنْ تَأْكُلَ أَجْسَادَ الأَنْبِيَاءِ. فَنَبِيُّ اللَّهِ حَيٌّ يُرْزَقُ»**.

(7) THE BOOK OF FASTING

[1] The Superiority Of Fasting

1638- It is narrated on the authority of Abu Hurairah: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Every act of the son of Adam would be multiplied, in such a way that every good deed will be recorded as ten to seven hundredfold. Allah "Exalted and Hallowed be He," said: "Except fasting, which is done for My sake, for which I give rewards. He abandons his (sexual) desire and diet for My sake." No doubt, the fasting person has two pleasures: One at the time of breaking his fast, and the other at the time of meeting his Lord (on the Day of Judgement)." Verily, the unpleasant smell of his (the fasting person's) mouth is sweeter, in the sight of Allah, than the odor of musk."

1639- It is narrated on the authority of Mutarrif, from the sons of Amir Ibn Sa'sa'ah that Uthman Ibn Abu Al-As Ath-Thaqafi ordered that milk should be brought, in order to serve him with it, thereupon he said to him: "I'm fasting." Uthman said: I heard Allah's Messenger "Allah's blessing and peace be upon him" having said: "Fasting is a shield from the (Hell's) fire, like the shield of anyone of you from (being killed in) fighting."

1640- It is narrated on the authority of Sahl Ibn Sa'd that the Messenger of Allah "Allah's blessing and peace be upon him" said: "In the Garden, there is a gate called Ar-Rayyan: it will be called on the Day of Judgement, i.e. it will be said: "Where are such as used to observe fasts (in the world)?" whoever belongs to such as used to observe fasts so much will be then admitted from it; and whoever enters from it will never become thirsty."

[2] The Superiority Of The Month Of Ramadan

1641- It is narrated on the authority of Abu Hurairah: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who observes fasts during (the month of) Ramadan, out of sincere faith, and expecting the reward (for that from Allah Almighty), will have (all of) his previous sins forgiven for him."

1642- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When it was the first night of Ramadan, Satans and the rebellious transgressors from amongst the jinns will be fastened (by chains and shackles), and the gates of the fire (of Hell) will be closed, and none of them will be opened, and the gates of the Garden will be opened, and none of them will be closed. Then, a caller will call: O one who seeks good! Come (and do good as

7 ـ كِتَابُ الصِّيَامِ

1 ـ بابُ ما جَاءَ في فَضْلِ الصِّيَامِ

1638 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو مُعَاوِيَةَ وَوَكِيعٌ، عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**كُلُّ عَمَلِ ابْنِ آدَمَ يُضَاعَفُ. الْحَسَنَةُ بِعَشْرِ أَمْثَالِهَا، إِلَى سَبْعِمِائَةِ ضِعْفٍ إِلَى مَا شَاءَ اللَّهُ. يَقُولُ اللَّهُ: إِلاَّ الصَّوْمَ، فَإِنَّهُ لِي، وَأَنَا أَجْزِي بِهِ. يَدَعُ شَهْوَتَهُ وَطَعَامَهُ مِنْ أَجْلِي. لِلصَّائِمِ فَرْحَتَانِ: فَرْحَةٌ عِنْدَ فِطْرِهِ، وَفَرْحَةٌ عِنْدَ لِقَاءِ رَبِّهِ. وَلَخُلُوفُ فَمِ الصَّائِمِ أَطْيَبُ عِنْدَ اللَّهِ مِنْ رِيحِ الْمِسْكِ**».

1639 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ الْمِصْرِيُّ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ سَعِيدِ بْنِ أَبِي هِنْدٍ؛ أَنَّ مُطَرِّفاً، مِنْ بَنِي عَامِرِ بْنِ صَعْصَعَةَ، حَدَّثَهُ أَنَّ عُثْمَانَ بْنَ أَبِي الْعَاصِ الثَّقَفِيَّ دَعَا لَهُ بِلَبَنٍ يَسْقِيهِ. فَقَالَ مُطَرِّفٌ: إِنِّي صَائِمٌ. فَقَالَ عُثْمَانُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الصِّيَامُ جُنَّةٌ مِنَ النَّارِ، كَجُنَّةِ أَحَدِكُمْ مِنَ الْقِتَالِ**».

1640 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ. حَدَّثَنِي هِشَامُ بْنُ سَعْدٍ، عَنْ أَبِي حَازِمٍ، عَنْ سَهْلِ بْنِ سَعْدٍ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**إِنَّ فِي الْجَنَّةِ بَاباً يُقَالُ لَهُ الرَّيَّانُ. يُدْعَى يَوْمَ الْقِيَامَةِ. يُقَالُ: أَيْنَ الصَّائِمُونَ؟ فَمَنْ كَانَ مِنَ الصَّائِمِينَ دَخَلَهُ، وَمَنْ دَخَلَهُ لَمْ يَظْمَأْ أَبَداً**».

2 ـ بابُ ما جَاءَ في فَضْلِ شَهْرِ رَمَضَانَ

1641 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ صَامَ رَمَضَانَ إِيمَاناً وَاحْتِسَاباً غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ**».

1642 ـ **حدّثنا** أَبُو كُرَيْبٍ، مُحَمَّدُ بْنُ الْعَلاَءِ. حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «**إِذَا كَانَتْ أَوَّلُ لَيْلَةٍ مِنْ رَمَضَانَ، صُفِّدَتِ الشَّيَاطِينُ وَمَرَدَةُ الْجِنِّ، وَغُلِّقَتْ أَبْوَابُ النَّارِ، فَلَمْ يُفْتَحْ مِنْهَا بَابٌ. وَفُتِحَتْ أَبْوَابُ الْجَنَّةِ، فَلَمْ يُغْلَقْ مِنْهَا بَابٌ. وَنَادَى مُنَادٍ: يَا بَاغِيَ الْخَيْرِ أَقْبِلْ. وَيَا بَاغِيَ الشَّرِّ أَقْصِرْ. وَلِلَّهِ عُتَقَاءُ مِنَ النَّارِ. وَذٰلِكَ فِي كُلِّ لَيْلَةٍ**».

much as you could)! O petitioner of evil! Desist (from doing evil and rather turn to doing good)! And Allah has some whom He releases from the fire (of Hell); and this happens every night."

1643- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "On (the time of) every breaking of fast, Allah has such as He releases from the fire (of Hell); and this happens every night."

1644- It is narrated on the authority of Anas Ibn Malik that he said: When (the month of) Ramadan came, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, this month (of Ramadan) has come upon you, and in it there is a night, which is much better (in value and significance) than one thousand months: whoever is forbidden (to stand in service of Allah on) it, has indeed been forbidden the entire good; and none would be forbidden its good but one shut out (of happiness)."

[3] What About Fasting On The Day About Which There Is Suspicion

1645- It is narrated on the authority of Silah Ibn Zufar that he said: We were in the house of Ammar on the day about which there was suspicion (whether it was the first day of Ramadan or the concluding day of Sha'ban), and a goat was served, but some people moved aside (as they were fasting), thereupon Ammar said: "He, who fasts this day (about which there is suspicion) has, indeed, disobeyed Abu Al-Qasim (the Messenger of Allah) "Allah's blessing and peace be upon him"."

1646- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade to hasten to observe fast a day before seeing (the new moon of Ramadan).

1647- It is narrated on the authority of Mu'awiyah Ibn Abu Sufyan that he said from over the pulpit: The Messenger of Allah "Allah's blessing and peace be upon him" used to say from over the pulpit before the coming of the month of Ramadan: "Observing fasts (of Ramadan) starts on such and such a day; and we are going to observe fasts (some days) in advance (as it was his habit to observe a lot of fasts during the month of Sha'ban): so, if anyone wants to fast in advance, let him do so, and if anyone wants to delay (until the coming of Ramadan) let him do so."

[4] Making No Break (of Fasting) Between Sha'ban And Ramadan

1648- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" (so many times) made no break (of fasting) between Sha'ban and Ramadan.

1643 - **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنِ الأَعْمَشِ، عَنْ أَبِي سُفْيَانَ، عَنْ جَابِرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ لِلَّهِ عِنْدَ كُلِّ فِطْرٍ عُتَقَاءَ. وَذٰلِكَ فِي كُلِّ لَيْلَةٍ**».

1644 - **حدّثنا** أَبُو بَدْرٍ، عَبَّادُ بْنُ الْوَلِيدِ. حَدَّثَنَا مُحَمَّدُ بْنُ بِلاَلٍ. حَدَّثَنَا عِمْرَانُ الْقَطَّانُ، عَنْ قَتَادَةَ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: دَخَلَ رَمَضَانُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ هٰذَا الشَّهْرَ قَدْ حَضَرَكُمْ. وَفِيهِ لَيْلَةٌ خَيْرٌ مِنْ أَلْفِ شَهْرٍ. مَنْ حُرِمَهَا فَقَدْ حُرِمَ الْخَيْرَ كُلَّهُ. وَلاَ يُحْرَمُ خَيْرَهَا إِلاَّ مَحْرُومٌ**».

3 - بَابُ مَا جَاءَ فِي صِيَامِ يَوْمِ الشَّكِّ

1645 - **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ عَمْرِو بْنِ قَيْسٍ، عَنْ أَبِي إِسْحَاقَ، عَنْ صِلَةَ بْنِ زُفَرَ؛ قَالَ: كُنَّا عِنْدَ عَمَّارٍ، فِي الْيَوْمِ الَّذِي يُشَكُّ فِيهِ. فَأُتِيَ بِشَاةٍ. فَتَنَحَّى بَعْضُ الْقَوْمِ. فَقَالَ عَمَّارٌ: مَنْ صَامَ هٰذَا الْيَوْمَ فَقَدْ عَصَى أَبَا الْقَاسِمِ ﷺ.

1646 - **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ عَبْدِ اللَّهِ بْنِ سَعِيدٍ، عَنْ جَدِّهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ تَعْجِيلِ صَوْمِ يَوْمٍ قَبْلَ الرُّؤْيَةِ.

1647 - **حدّثنا** الْعَبَّاسُ بْنُ الْوَلِيدِ الدِّمَشْقِيُّ. حَدَّثَنَا مَرْوَانُ بْنُ مُحَمَّدٍ. حَدَّثَنَا الْهَيْثَمُ بْنُ حُمَيْدٍ. حَدَّثَنَا الْعَلاَءُ بْنُ الْحَرِثِ، عَنِ الْقَاسِمِ، أَبِي عَبْدِ الرَّحْمٰنِ؛ أَنَّهُ سَمِعَ مُعَاوِيَةَ بْنَ أَبِي سُفْيَانَ عَلَى الْمِنْبَرِ يَقُولُ: كَانَ رَسُولُ اللَّهِ ﷺ يَقُولُ عَلَى الْمِنْبَرِ، قَبْلَ شَهْرِ رَمَضَانَ: «**الصِّيَامُ يَوْمَ كَذَا وَكَذَا. وَنَحْنُ مُتَقَدِّمُونَ. فَمَنْ شَاءَ فَلْيَتَقَدَّمْ، وَمَنْ شَاءَ فَلْيَتَأَخَّرْ**».

4 - بَابُ مَا جَاءَ فِي وِصَالِ شَعْبَانَ بِرَمَضَانَ

1648 - **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ، عَنْ شُعْبَةَ، عَنْ مَنْصُورٍ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ، عَنْ أَبِي سَلَمَةَ، عَنْ أُمِّ سَلَمَةَ؛ قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يَصِلُ شَعْبَانَ بِرَمَضَانَ.

1649- It is narrated on the authority of Rabie'ah Ibn Al-Ghazi that he asked A'ishah about the fasts of the Messenger of Allah "Allah's blessing and peace be upon him", and she said: He used to observe fasts from all (portions of the month of) Sha'ban, and then carry on (observing the fasts of) Ramadan, taking no break (between both).

[5] It Is Forbidden To Observe Fasts In Advance Of Ramadan Except In Case One's Regular Fasts Agree With That

1650- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not observe fasts one or two days in advance of (the month of) Ramadan, except in case one observes fasts regularly (whose fasts agree with that day, and thus) he might carry on his fasts."

1651- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When it is the middle of Sha'ban, then, observe no fasts until Ramadan comes."

[6] Bearing Witness To Seeing The New Moon

1652- It is narrated on the authority of Ibn Abbas that once, a desert dweller came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've seen the new moon tonight." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do you bear testimony that there is no god (to be worshipped) but Allah, and that Muhammad is the Messenger of Allah?" he answered in the affirmative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "O Bilal! Stand and pronounce a call to the people to observe fast tomorrow." Abu Ali said: This is the narration of both Al-Walid Ibn Abu Thawr and Al-Hasan Ibn Ali; but the narration of Hammad Ibn Salamah has no mention of Ibn Abbas, and according to which he made a called to them to stand (for the supererogatory prayer at that night) and observe fast (on the coming day).

1653- It is narrated on the authority of Abu Umair Ibn Anas Ibn Malik that he said: One of my paternal uncles from the Ansar, and he was a companion of the Messenger of Allah "Allah's blessing and peace be upon him" told me: Once, it was cloudy (and we failed to see) the new moon of (the month of) Shawwal, and thus when it was (the coming) day, we became fasting. At the last portion of the day, some riders came and bore witness in the presence of the Messenger of Allah "Allah's blessing and

1649 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا يَحْيَىٰ بْنُ حَمْزَةَ. حَدَّثَنِي ثَوْرُ بْنُ يَزِيدَ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنْ رَبِيعَةَ بْنِ الْغَازِ؛ أَنَّهُ سَأَلَ عَائِشَةَ، عَنْ صِيَامِ رَسُولِ اللَّهِ ﷺ فَقَالَتْ: كَانَ يَصُومُ شَعْبَانَ كُلَّهُ حَتَّى يَصِلَهُ بِرَمَضَانَ.

5 ـ بابُ ما جَاءَ في النَّهْيِ أَنْ يَتَقَدَّمَ رَمَضَانَ بِصَوْمٍ، إلاَّ مَنْ صَامَ صَوْماً فَوَافَقَهُ

1650 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عَبْدُ الْحَمِيدِ بْنُ حَبِيبٍ، وَالْوَلِيدُ بْنُ مُسْلِمٍ، عَنِ الأَوْزَاعِيِّ، عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَقَدَّمُوا صِيَامَ رَمَضَانَ بِيَوْمٍ وَلاَ يَوْمَيْنِ. إلاَّ رَجُلٌ كَانَ يَصُومُ صَوْماً فَيَصُومُهُ»**.

1651 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ. ح وَحَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا مُسْلِمُ بْنُ خَالِدٍ. قَالاَ: حَدَّثَنَا الْعَلاَءُ بْنُ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا كَانَ النِّصْفُ مِنْ شَعْبَانَ، فَلاَ صَوْمَ حَتَّى يَجِيءَ رَمَضَانُ»**.

6 ـ بابُ ما جَاءَ في الشَّهَادَةِ على رُؤْيَةِ الهِلالِ

1652 ـ **حدّثنا** عَمْرُو بْنُ عَبْدِ اللَّهِ الأَوْدِيُّ، وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالاَ: حَدَّثَنَا أَبُو أُسَامَةَ. حَدَّثَنَا زَائِدَةُ بْنُ قُدَامَةَ. حَدَّثَنَا سِمَاكُ بْنُ حَرْبٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: جَاءَ أَعْرَابِيٌّ إِلَى النَّبِيِّ ﷺ فَقَالَ: أَبْصَرْتُ الْهِلاَلَ اللَّيْلَةَ. فَقَالَ: **«أَتَشْهَدُ أَنْ لاَ إِلٰهَ إِلاَّ اللَّهُ، وَأَنَّ مُحَمَّداً رَسُولُ اللَّهِ؟»** قَالَ: نَعَمْ. قَالَ: **«قُمْ يَا بِلاَلُ فَأَذِّنْ فِي النَّاسِ أَنْ يَصُومُوا غَداً»**.

قَالَ أَبُو عَلِيٍّ: هٰكَذَا رِوَايَةُ الْوَلِيدِ بْنِ أَبِي ثَوْرٍ، وَالْحَسَنِ بْنِ عَلِيٍّ. وَرَوَاهُ حَمَّادُ بْنُ سَلَمَةَ، فَلَمْ يَذْكُرِ ابْنَ عَبَّاسٍ. وَقَالَ: فَنَادَى أَنْ يَقُومُوا وَأَنْ يَصُومُوا.

1653 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا هُشَيْمٌ، عَنْ أَبِي بِشْرٍ، عَنْ أَبِي عُمَيْرِ بْنِ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: حَدَّثَنِي عُمُومَتِي مِنَ الأَنْصَارِ مِنْ أَصْحَابِ رَسُولِ اللَّهِ ﷺ قَالُوا: أُغْمِيَ عَلَيْنَا هِلاَلُ شَوَّالٍ. فَأَصْبَحْنَا صِيَاماً. فَجَاءَ رَكْبٌ مِنْ آخِرِ النَّهَارِ، فَشَهِدُوا عِنْدَ النَّبِيِّ ﷺ أَنَّهُمْ رَأَوُا الْهِلاَلَ بِالأَمْسِ. فَأَمَرَهُمْ رَسُولُ اللَّهِ ﷺ أَنْ يُفْطِرُوا، وَأَنْ يَخْرُجُوا إِلَى عِيدِهِمْ مِنَ الْغَدِ.

peace be upon him" that they had seen the new moon the previous night, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" ordered them (his companions) to break their fast, and set out to celebrate their Id on the coming day.

[7] Observe Fast On Seeing It (The New Moon Of Ramadan) And Break Fast On Seeing It (The New Moon Of Shawwal)

1654- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Observe fast when you see the new moon (of the month of Ramadan), and break fast when you see the new moon (of the month of Shawwal); and if it (the sky) is overcast (and you fail to see the new moon) calculate it (as thirty days)." Ibn Umar used to fast a day before seeing the new moon.

1655- It is narrated on the authority of Abu Hurairah that he said: Allah's Messenger "Allah's blessing and peace be upon him" said: "Observe fast when you see the new moon (of Ramadan), and break fast when you see the new moon (of Shawwal); and if it (the sky) is overcast (and you fail to see the new moon) then observe thirty fasts."

[8] The (Lunar) Month Might Be Twenty-Nine (Days)

1656- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" asked: "How many (days) have elapsed from the month?" we said: "Twenty-two days, and eight days remain (to its conclusion)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The (lunar) month might be thus, the month might be thus, and the month might be thus" (making two tens with both his hands) and in the third time, he withdrew one (i.e. the thumb, in reference to the possibility of being twenty-nine days).

1657- It is narrated on the authority of Sa'd Ibn Abu Waqqas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The (lunar) month might be thus, thus, and thus", and he showed in the third time that it might be twenty-nine (days, by withdrawing his thumb).

1658- It is narrated on the authority of Abu Hurairah that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him" the twenty-nine-day (months of Ramadan that came upon us) which we fasted were more than the thirty-day (months) we fasted.

[9] The Two Months Of Id

1659- It is narrated on the authority of Abu Bakrah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The two months

7 ـ بابُ ما جَاءَ في «صُومُوا لرُؤْيَتِهِ وأَفْطِرُوا لرُؤْيَتِهِ»

1654 ـ **حدّثنا** أَبُو مَرْوَانَ، مُحَمَّدُ بْنُ عُثْمَانَ الْعُثْمَانِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا رَأَيْتُمُ الْهِلاَلَ فَصُومُوا. وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا. فَإِنْ غُمَّ عَلَيْكُمْ فَاقْدُرُوا لَهُ»** وَكَانَ ابْنُ عُمَرَ يَصُومُ قَبْلَ الْهِلاَلِ بِيَوْمٍ.

1655 ـ **حدّثنا** أَبُو مَرْوَانَ الْعُثْمَانِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا رَأَيْتُمُ الْهِلاَلَ فَصُومُوا. وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا. فَإِنْ غُمَّ عَلَيْكُمْ فَصُومُوا ثَلاَثِينَ يَوْماً»**.

8 ـ بابُ ما جَاءَ في «الشَّهْرُ تِسْعٌ وعِشْرُونَ»

1656 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«كَمْ مَضَى مِنَ الشَّهْرِ؟»** قَالَ قُلْنَا: اثْنَانِ وَعِشْرُونَ، وَبَقِيَتْ ثَمَانٍ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«الشَّهْرُ هٰكَذَا، وَالشَّهْرُ هٰكَذَا، وَالشَّهْرُ هٰكَذَا»** ثَلاَثَ مَرَّاتٍ، وَأَمْسَكَ وَاحِدَةً.

1657 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ إِسْمَاعِيلَ بْنِ أَبِي خَالِدٍ، عَنْ مُحَمَّدِ بْنِ سَعْدِ بْنِ أَبِي وَقَّاصٍ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الشَّهْرُ هٰكَذَا وَهٰكَذَا وَهٰكَذَا»** وَعَقَدَ تِسْعاً وَعِشْرِينَ، فِي الثَّالِثَةِ.

1658 ـ **حدّثنا** مُجَاهِدُ بْنُ مُوسَى. حَدَّثَنَا الْقَاسِمُ بْنُ مَالِكٍ الْمُزَنِيُّ. حَدَّثَنَا الْجُرَيْرِيُّ، عَنْ أَبِي نَضْرَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: مَا صُمْنَا عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ تِسْعاً وَعِشْرِينَ، أَكْثَرُ مِمَّا صُمْنَا ثَلاَثِينَ.

9 ـ بابُ ما جَاءَ في شَهْرَيِ العِيدِ

1659 ـ **حدّثنا** حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ. حَدَّثَنَا خَالِدٌ الْحَذَّاءُ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي بَكْرَةَ، عَنْ أَبِيهِ، عَنِ النَّبِيِّ ﷺ قَالَ: **«شَهْرَا عِيدٍ لاَ يَنْقُصَانِ: رَمَضَانُ وَذُو الْحِجَّةِ»**.

of Id (more frequently) do not decrease (in the same year): Ramadan (after which there comes Id Al-Fitr) and Dhul-Hijjah(during which there comes Id Al-Adha)."

1660- It is narrated on the authority of Abu Hurairah: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(Id) Al-Fitr) is on the day of breaking your fasts(after the conclusion of the month of Ramadan); and (Id) Al-Adha is on the day of offering your sacrifice (i.e. the tenth of Dhul-Hijjah)."

[10] Observing Fast On Journey

1661- It is narrated on the authority of Ibn Abbas that he said: (Sometimes) The Messenger of Allah "Allah's blessing and peace be upon him" observed fasts on journey, and (sometimes) he left fasting.

1662- It is narrated on the authority of A'ishah that she said: Hamzah Al-Aslami asked the Messenger of Allah "Allah's blessing and peace be upon him": "It is my habit to observe fasts (regularly): should I observe fasts on journey?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Observe fasts (on journey) if you so like, and leave fasting if you so like."

1663- It is narrated on the authority of Abu Ad-Darda' that he said: I saw us in the company of the Messenger of Allah "Allah's blessing and peace be upon him" in one of his journeys, and it was very hot, to the extent that a man would put his hand over his head out of the scorching heat, and none observed fast (on that day) barring the Messenger of Allah "Allah's blessing and peace be upon him" and Abdullah Ibn Rawahah.

[11] Breaking Fast On Journey

1664- It is narrated on the authority of Ka'b Ibn Asim that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not out of righteousness to observe fast on journey."

1665- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not out of righteousness to observe fast on journey."

1666- It is narrated on the authority of Abd Ar-Rahman Ibn Awf that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The one who observes fasts of Ramadan on journey (particularly when he is put to trouble because of it) is like him who leaves fasting on residence (in months other than Ramadan)."

1660 ـ **حدّثنا** مُحَمَّدُ بْنُ عُمَرَ الْمُقْرِىءُ. حَدَّثَنَا إِسْحَاقُ بْنُ عِيسَى. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ أَيُّوبَ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْفِطْرُ يَوْمَ تُفْطِرُونَ، وَالأَضْحَى يَوْمَ تُضَحُّونَ**».

10 ـ بابُ ما جَاءَ في الصَّوْمِ في السَّفَرِ

1661 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ مُجَاهِدٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: صَامَ رَسُولُ اللَّهِ ﷺ فِي السَّفَرِ، وَأَفْطَرَ.

1662 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: سَأَلَ حَمْزَةُ الأَسْلَمِيُّ رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنِّي أَصُومُ. أَفَأَصُومُ فِي السَّفَرِ؟ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنْ شِئْتَ فَصُمْ، وَإِنْ شِئْتَ فَأَفْطِرْ**».

1663 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا أَبُو عَامِرٍ. ح وَحَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ، وَهَارُونُ بْنُ عَبْدِ اللَّهِ الْحَمَّالُ. قَالاَ: حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ جَمِيعاً، عَنْ هِشَامِ بْنِ سَعْدٍ، عَنْ عُثْمَانَ بْنِ حَيَّانَ الدِّمَشْقِيِّ. حَدَّثَتْنِي أُمُّ الدَّرْدَاءِ، عَنْ أَبِي الدَّرْدَاءِ؛ أَنَّهُ قَالَ: لَقَدْ رَأَيْتُنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي بَعْضِ أَسْفَارِهِ فِي الْيَوْمِ الْحَارِّ. الشَّدِيدِ الْحَرِّ. وَإِنَّ الرَّجُلَ لَيَضَعُ يَدَهُ عَلَى رَأْسِهِ مِنْ شِدَّةِ الْحَرِّ. وَمَا فِي الْقَوْمِ أَحَدٌ صَائِمٌ إِلاَّ رَسُولُ اللَّهِ ﷺ. وَعَبْدُ اللَّهِ بْنُ رَوَاحَةَ.

11 ـ بابُ ما جَاءَ في الإِفْطَارِ في السَّفَرِ

1664 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ صَفْوَانَ بْنِ عَبْدِ اللَّهِ، عَنْ أُمِّ الدَّرْدَاءِ، عَنْ كَعْبِ بْنِ عَاصِمٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَيْسَ مِنَ الْبِرِّ الصِّيَامُ فِي السَّفَرِ**».

1665 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُصَفَّى الْحِمْصِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ حَرْبٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَيْسَ مِنَ الْبِرِّ الصِّيَامُ فِي السَّفَرِ**».

1666 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُوسَى التَّيْمِيُّ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِيهِ عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**صَائِمُ رَمَضَانَ فِي السَّفَرِ كَالْمُفْطِرِ فِي الْحَضَرِ**».

قَالَ أَبُو إِسْحَاقَ: هٰذَا الْحَدِيثُ لَيْسَ بِشَيْءٍ.

Comment: (The important point here is that one's fasting on journey gives him no superiority as he might expect.)

[12] Leaving Fast (Is Better) For The Pregnant And Suckling Woman

1667- It is narrated on the authority of Anas Ibn Malik, a man from sons of Abd Al-Ashhal, but Ali Ibn Muhammad says from the sons of Abdullah Ibn Ka'b, that he said: The horsemen of the Messenger of Allah "Allah's blessing and peace be upon him" raided us, and I came to the Messenger of Allah "Allah's blessing and peace be upon him" and he was taking his lunch, thereupon he invited me to come closer (to share food with him), and I told him that I was fasting. He then said: "Sit down, so that I would tell you about fasting: Verily, Allah Almighty relieved such as on journey of half the prayer, (i.e. reduced the four-rak'ah prayer to only two), and exempted the one on journey, the pregnant and the suckling woman from fasting." By Allah! the Messenger of Allah "Allah's blessing and peace be upon him" said either both or (at least) one of them, and how regretful I have been, since I did not get from the food of the Messenger of Allah "Allah's blessing and peace be upon him".

1668- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave concession to the pregnant who fears (fasting) on herself to leave fasting, and also to the suckling woman, who fears on her babe.

[13] Observing Fasts In Lieu Of These Missing Of Ramadan

1669- It is narrated on the authority of A'ishah that she said: Sometimes I missed some days of Ramadan, but could not fast in lieu of them except in the month of Sha'ban.

Comment: (That's because she was in the state of being ready all the time, the same as were all of his wives, for receiving the Messenger of Allah "Allah's blessing and peace be upon him" to take pleasure from her whenever he liked.)

1670- It is narrated on the authority of A'ishah that she said: We used to get menses (during the month of Ramadan) and we were with the Messenger of Allah "Allah's blessing and peace be upon him", who would order us to observe fasts in lieu of the missing ones.

[14] The Expiation Of Such As Leaves One Of The Fasts Of Ramadan

1671- It is narrated on the authority of Abu Hurairah: A man came to the Prophet "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! I have been ruined." Allah's Apostle "Allah's blessing

12 ـ بابُ ما جَاءَ في الإِفْطَارِ للحَامِلِ والمُرْضِعِ

1667 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ، عَنْ أَبِي هِلاَلٍ، عَنْ عَبْدِ اللَّهِ بْنِ سَوَادَةَ، عَنْ أَنَسِ بْنِ مَالِكٍ، رَجُلٌ مِنْ بَنِي عَبْدِ الأَشْهَلِ، (وَقَالَ عَلِيُّ بْنُ مُحَمَّدٍ: مِنْ بَنِي عَبْدِ اللَّهِ بْنِ كَعْبٍ) قَالَ أَغَارَتْ عَلَيْنَا خَيْلُ رَسُولِ اللَّهِ ﷺ. فَأَتَيْتُ رَسُولَ اللَّهِ ﷺ وَهُوَ يَتَغَدَّى فَقَالَ: «**ادْنُ فَكُلْ**» قُلْتُ: إِنِّي صَائِمٌ. قَالَ: «**اجْلِسْ أُحَدِّثْكَ عَنِ الصَّوْمِ أَوِ الصِّيَامِ. إِنَّ اللَّهَ عَزَّ وَجَلَّ وَضَعَ عَنِ الْمُسَافِرِ شَطْرَ الصَّلاَةِ. وَعَنِ الْمُسَافِرِ وَالْحَامِلِ وَالْمُرْضِعِ، الصَّوْمَ، أَوِ الصِّيَامَ**». وَاللَّهِ لَقَدْ قَالَهُمَا النَّبِيُّ ﷺ، كِلْتَاهُمَا أَوْ إِحْدَاهُمَا. فَيَا لَهْفَ نَفْسِي فَهَلاَّ كُنْتُ طَعِمْتُ مِنْ طَعَامِ رَسُولِ اللَّهِ ﷺ.

1668 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ الدِّمَشْقِيُّ. حَدَّثَنَا الرَّبِيعُ بْنُ بَدْرٍ، عَنِ الْجُرَيْرِيِّ، عَنِ الْحَسَنِ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: رَخَّصَ رَسُولُ اللَّهِ ﷺ لِلْحُبْلَى الَّتِي تَخَافُ عَلَى نَفْسِهَا، أَنْ تُفْطِرَ. وَلِلْمُرْضِعِ الَّتِي تَخَافُ عَلَى وَلَدِهَا.

13 ـ بابُ ما جَاءَ في قَضَاءِ رَمَضَانَ

1669 ـ **حدّثنا** عَلِيُّ بْنُ الْمُنْذِرِ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ أَبِي سَلَمَةَ؛ قَالَ: سَمِعْتُ عَائِشَةَ تَقُولُ: إِنْ كَانَ لَيَكُونُ عَلَيَّ الصِّيَامُ مِنْ شَهْرِ رَمَضَانَ، فَمَا أَقْضِيهِ حَتَّى يَجِيءَ شَعْبَانُ.

1670 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ عُبَيْدَةَ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ؛ قَالَتْ: كُنَّا نَحِيضُ عِنْدَ النَّبِيِّ ﷺ، فَيَأْمُرُنَا بِقَضَاءِ الصَّوْمِ.

14 ـ بابُ ما جَاءَ في كَفَّارَةِ مَنْ أَفْطَرَ يَوْماً مِنْ رَمَضَانَ

1671 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: أَتَى النَّبِيَّ ﷺ رَجُلٌ فَقَالَ:

and peace be upon him" asked: "What is the matter with you?" He replied: "I had sexual intercourse with my wife while I was fasting." Allah's Apostle "Allah's blessing and peace be upon him" said to him: "Manumit a slave." He said: "I could not afford for that." Allah's Apostle "Allah's blessing and peace be upon him" said to him: "Then, fast for Two successive months." He replied: "I have no power to do so." The Prophet "Allah's blessing and peace be upon him" said to him: "Then, feed sixty poor persons." He replied: "I could not afford for that." The Prophet "Allah's blessing and peace be upon him" ordered him to sit (for a while), and while he was in that state, a big basket full of dates was brought to him. He said : "Go and give that in charity." The man said: "By Allah, O Messenger of Allah, there is no family between Medina's two mountains who are poorer than us." The Prophet "Allah's blessing and peace be upon him" said: "Go and feed your dependents with it."

(...) The same is narrated on the authority of Abu Hurairah from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters; and in this narration, there is the following addition: He (the Prophet) further said to him: "Fast a day in lieu of that (on which you broke fast)."

1672- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who breaks a fast of (the fasts of the month of Ramadan intentionally) with no concession (nor legal excuse), nothing would exempt him (from the sin thereof) even though he keeps fasting all the time."

[15] When One Breaks Fast Forgetfully

1673- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who eats (or drinks) forgetfully while he is fasting (during the month of Ramadan), let him complete his fast for indeed, it is Allah Who has caused him to eat and drink."

1674- It is narrated on the authority of Asma' Bint Abu Bakr that she said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", we broke fast on a cloudy day, and then the sun rose. I (Abu Usamah, a sub-narrator) said to Hisham (who related the narration from Fatimah Bint Al-Mundhir): Were they commanded to observe fast in lieu of that? He said: this must have been inescapable.

هَلَكْتُ. قَالَ: «**وَمَا أَهْلَكَكَ؟**» قَالَ: وَقَعْتُ عَلَى امْرَأَتِي فِي رَمَضَانَ. فَقَالَ النَّبِيُّ ﷺ: «**أَعْتِقْ رَقَبَةً**» قَالَ: لاَ أَجِدُ. قَالَ: «**صُمْ شَهْرَيْنِ مُتَتَابِعَيْنِ**» قَالَ: لاَ أُطِيقُ. قَالَ: «**أَطْعِمْ سِتِّينَ مِسْكِيناً**» قَالَ: لاَ أَجِدُ. قَالَ: «**اجْلِسْ**» فَجَلَسَ. فَبَيْنَمَا هُوَ كَذٰلِكَ إِذْ أُتِيَ بِمِكْتَلٍ يُدْعَى الْعَرَقَ. فَقَالَ: «**اذْهَبْ فَتَصَدَّقْ بِهِ**» قَالَ: يَا رَسُولَ اللَّهِ وَالَّذِي بَعَثَكَ بِالْحَقِّ، مَا بَيْنَ لاَبَتَيْهَا أَهْلُ بَيْتٍ أَحْوَجُ إِلَيْهِ مِنَّا. قَالَ: «**فَانْطَلِقْ فَأَطْعِمْهُ عِيَالَكَ**».

حدّثنا حَرْمَلَةُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. حَدَّثَنَا عَبْدُ الْجَبَّارِ بْنُ عُمَرَ. حَدَّثَنِي يَحْيَىٰ بْنُ سَعِيدٍ، عَنِ ابْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ، عَنْ رَسُولِ اللَّهِ ﷺ بِذٰلِكَ. فَقَالَ: «**وَصُمْ يَوْماً مَكَانَهُ**».

1672 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنِ ابْنِ الْمُطَوَّسِ، عَنْ أَبِيهِ الْمُطَوَّسِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَفْطَرَ يَوْماً مِنْ رَمَضَانَ، مِنْ غَيْرِ رُخْصَةٍ، لَمْ يُجْزِهِ صِيَامُ الدَّهْرِ**».

15 ـ بابُ ما جَاءَ فِيمَنْ أَفْطَرَ نَاسِياً

1673 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عَوْفٍ، عَنْ خِلاَسٍ، وَمُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَكَلَ نَاسِياً، وَهُوَ صَائِمٌ، فَلْيُتِمَّ صَوْمَهُ. فَإِنَّمَا أَطْعَمَهُ اللَّهُ وَسَقَاهُ**».

1674 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ فَاطِمَةَ بِنْتِ الْمُنْذِرِ، عَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ؛ قَالَتْ: أَفْطَرْنَا عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ فِي يَوْمٍ غَيْمٍ. ثُمَّ طَلَعَتِ الشَّمْسُ.

قُلْتُ لِهِشَامٍ: أُمِرُوا بِالْقَضَاءِ؟ قَالَ: فَلاَ بُدَّ مِنْ ذٰلِكَ.

[16] When The Fasting Person Vomits

1675- It is narrated on the authority of Fadalah Ibn Ubaid Al-Ansari that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came out to us on a day which he used to fast (voluntarily), but he asked for a utensil (of water) from which he drank. We said: "O Messenger of Allah! This is the day which you used to fast (why have you drunk)?" he said: "Yes, but I vomited (and thus I broke fast)."

1676- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who vomits against his will (while he is fasting), no fasting is due upon him; and he who forces himself to vomit (while he is fasting) , fasting becomes due upon him in lieu (of that he missed)."

[17] What About Applying Siwak And Kohl To The Fasting Person

1677- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Using Siwak (teeth-cleansing stick) is the best thing a fasting person could ever do (whenever he likes during the day)."

1678- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" applied kohl to his eyes while he was fasting.

[18] What About Cupping For The Fasting Person

1679- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Both the one who cups, and the one who gets himself cupped have broken their fast."

1680- It is narrated on the authority of Thawban that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Both the one who cups, and the one who gets himself cupped have broken their fast."

1681- It is narrated on the authority of Shaddad Ibn Aws that while he was walking in the company of the Messenger of Allah "Allah's blessing and peace be upon him" at Baqi' he came upon one who was getting himself cupped, after eighteen nights had elapsed from the month (of Ramadan), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Both the one who cups, and that who gets himself cupped have broken their fast."

16 ـ بابُ ما جَاءَ في الصَّائِمِ يَقِيءُ

1675 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَعْلَى وَمُحَمَّدُ ابْنَا عُبَيْدٍ الطَّنَافِسِيُّ. قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ أَبِي مَرْزُوقٍ؛ قَالَ: سَمِعْتُ فَضَالَةَ بْنَ عُبَيْدٍ الأَنْصَارِيَّ يُحَدِّثُ أَنَّ النَّبِيَّ ﷺ خَرَجَ عَلَيْهِمْ فِي يَوْمٍ كَانَ يَصُومُهُ. فَدَعَا بِإِنَاءٍ. فَشَرِبَ. فَقُلْنَا: يَا رَسُولَ اللَّهِ إِنَّ هٰذَا يَوْمٌ كُنْتَ تَصُومُهُ. قَالَ: «**أَجَلْ. وَلٰكِنِّي قِئْتُ**».

1676 ـ **حدّثنا** عُبَيْدُ اللَّهِ بْنُ عَبْدِ الْكَرِيمِ. حَدَّثَنَا الْحَكَمُ بْنُ مُوسَى. حَدَّثَنَا عِيسَى بْنُ يُونُسَ. ح وَحَدَّثَنَا عُبَيْدُ اللَّهِ. حَدَّثَنَا عَلِيُّ بْنُ الْحَسَنِ بْنِ سُلَيْمَانَ، أَبُو الشَّعْثَاءِ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، جَمِيعاً عَنْ هِشَامٍ، عَنِ ابْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ ذَرَعَهُ الْقَيْءُ، فَلاَ قَضَاءَ عَلَيْهِ. وَمَنِ اسْتَقَاءَ، فَعَلَيْهِ الْقَضَاءُ**».

17 ـ بابُ ما جَاءَ في السِّوَاكِ والكُحْلِ للصَّائِمِ

1677 ـ **حدّثنا** عُثْمَانُ بْنُ مُحَمَّدِ بْنِ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو إِسْمَاعِيلَ الْمُؤَدِّبُ، عَنْ مُجَالِدٍ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مِنْ خَيْرِ خِصَالِ الصَّائِمِ السِّوَاكُ**».

1678 ـ **حدّثنا** أَبُو التَّقِيِّ، هِشَامُ بْنُ عَبْدِ الْمَلِكِ الْحِمْصِيُّ. حَدَّثَنَا بَقِيَّةُ. حَدَّثَنَا الزُّبَيْدِيُّ عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: اكْتَحَلَ رَسُولُ اللَّهِ ﷺ وَهُوَ صَائِمٌ.

18 ـ بابُ ما جَاءَ في الحِجَامَةِ للصَّائِمِ

1679 ـ **حدّثنا** أَيُّوبُ بْنُ مُحَمَّدٍ الرَّقِّيُّ، وَدَاوُدُ بْنُ رَشِيدٍ. قَالاَ: حَدَّثَنَا مُعَمَّرُ بْنُ سُلَيْمَانَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ بِشْرٍ، عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ**».

1680 ـ **حدّثنا** أَحْمَدُ بْنُ يُوسُفَ السُّلَمِيُّ. حَدَّثَنَا عُبَيْدُ اللَّهِ. أَنْبَأَنَا شَيْبَانُ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ. حَدَّثَنِي أَبُو قِلاَبَةَ؛ أَنَّ أَبَا أَسْمَاءَ حَدَّثَهُ عَنْ ثَوْبَانَ؛ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «**أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ**».

1681 ـ وَبِإِسْنَادِهِ، عَنْ أَبِي قِلاَبَةَ؛ أَنَّهُ أَخْبَرَهُ أَنَّ شَدَّادَ بْنَ أَوْسٍ بَيْنَمَا هُوَ يَمْشِي مَعَ رَسُولِ اللَّهِ ﷺ بِالْبَقِيعِ. فَمَرَّ عَلَى رَجُلٍ يَحْتَجِمُ، بَعْدَمَا مَضَى مِنَ الشَّهْرِ ثَمَانِي عَشْرَةَ لَيْلَةً. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ**».

1682- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped while he was fasting, in the state of Ihram.

[19] What About The Kiss From The Part Of The Fasting Person

1683- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to kiss (his wives while he was fasting) in the month of fasts (i.e. Ramadan).

1684- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to kiss while he was fasting: and which of you could have control over his sexual desire as the Messenger of Allah "Allah's blessing and peace be upon him" had over his sexual desire?

1685- It is narrated on the authority of Hafsah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to kiss (his wives while he was fasting) in the month of fasts (i.e. Ramadan).

1686- It is narrated on the authority of Maimunah, the freed slave girl of the Messenger of Allah "Allah's blessing and peace be upon him", that she said: The Messenger of Allah "Allah's blessing and peace be upon him" was asked about a man kissing his wife, while both are fasting, thereupon he said: "They then (become vulnerable to) break their fast."

[20] When A Fasting Person Approaches (His Wife)

1687- It is narrated on the authority of Ibrahim that he said: Al-Aswad visited A'ishah and asked her: "Did the Messenger of Allah "Allah's blessing and peace be upon him" use to approach (his wives) while he was fasting?" she said: "He used to do so, and he was the most powerful from amongst you to have control over his sexual desire."

1688- It is narrated on the authority of Ibn Abbas that he said: The old aged one has been given concession to approach (his wife) while he was fasting, and it is undesirable for the youth.

[21] What About Backbiting And Obscenity From The Part Of The Fasting Person

1689- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Unless one leaves false speech and ignorance, and avoids acting upon it, then, Allah has no need for him to leave his food and drink (while fasting)."

1682 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ يَزِيدَ بْنِ أَبِي زِيَادٍ، عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: احْتَجَمَ رَسُولُ اللَّهِ ﷺ وَهُوَ صَائِمٌ، مُحْرِمٌ.

19 ـ بابُ ما جَاءَ في القُبْلَةِ للصَّائِمِ

1683 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَبْدُ اللَّهِ بْنُ الْجَرَّاحِ. قَالاَ: حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ زِيَادِ بْنِ عِلاَقَةَ، عَنْ عَمْرِو بْنِ مَيْمُونٍ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ النَّبِيُّ ﷺ يُقَبِّلُ فِي شَهْرِ الصَّوْمِ.

1684 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ عُبَيْدِ اللَّهِ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يُقَبِّلُ وَهُوَ صَائِمٌ. وَأَيُّكُمْ يَمْلِكُ إِرْبَهُ كَمَا كَانَ رَسُولُ اللَّهِ ﷺ يَمْلِكُ إِرْبَهُ؟

1685 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ، عَنْ شُتَيْرِ بْنِ شَكَلٍ، عَنْ حَفْصَةَ؛ أَنَّ النَّبِيَّ ﷺ كَانَ يُقَبِّلُ وَهُوَ صَائِمٌ.

1686 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ إِسْرَائِيلَ، عَنْ زَيْدِ بْنِ جُبَيْرٍ، عَنْ أَبِي يَزِيدَ الضِّنِّيِّ، عَنْ مَيْمُونَةَ مَوْلاَةِ النَّبِيِّ ﷺ قَالَتْ: سُئِلَ النَّبِيُّ ﷺ عَنْ رَجُلٍ قَبَّلَ امْرَأَتَهُ وَهُمَا صَائِمَانِ. قَالَ: «**قَدْ أَفْطَرَا**».

20 ـ بابُ ما جَاءَ في المُبَاشَرَةِ للصَّائِمِ

1687 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنِ ابْنِ عَوْنٍ، عَنْ إِبْرَاهِيمَ؛ قَالَ: دَخَلَ الأَسْوَدُ وَمَسْرُوقٌ عَلَى عَائِشَةَ. فَقَالاَ: أَكَانَ رَسُولُ اللَّهِ ﷺ يُبَاشِرُ وَهُوَ صَائِمٌ؟ قَالَتْ: كَانَ يَفْعَلُ. وَكَانَ أَمْلَكَكُمْ لإِرْبِهِ.

1688 ـ **حدّثنا** مُحَمَّدُ بْنُ خَالِدِ بْنِ عَبْدِ اللَّهِ الْوَاسِطِيُّ. حَدَّثَنَا أَبِي، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: رُخِّصَ لِلْكَبِيرِ الصَّائِمِ فِي الْمُبَاشَرَةِ، وَكُرِهَ لِلشَّابِّ.

21 ـ بابُ ما جَاءَ في الغِيبَةِ والرَّفَثِ للصَّائِمِ

1689 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنْ سَعِيدٍ الْمَقْبُرِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ، وَالْجَهْلَ، وَالْعَمَلَ بِهِ، فَلاَ حَاجَةَ لِلَّهِ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ**».

1690- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A fasting person might have nothing from his fasts other than hunger; and a standing (person for offering the supererogatory night prayer) might have nothing from his prayer barring insomnia."

1691- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When it is the day on which anyone of you observes fast, let him commit no obscenity, nor ignorance; and if anyone quarrels with him, let him say (in reply to his quarrel): "I'm fasting.""

[22] What About Suhur

(The night meal taken a short while before the dawn by such as intends to observe fast)

1692- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Have Suhur (if you intend to observe fast), for there is blessing in Suhur."

1693- It is narrated on the authority of Ibn Abbas that the Prophet "Allah's blessing and peace be upon him" said: "Seek help from the food you have a short while before the dawn for your fasting during the day; and (seek help) from siesta for standing (for supererogatory prayer) at night."

[23] Delaying The Time Of Suhur

1694- It is narrated on the authority of Zaid Ibn Thabit that he said: WE had our Suhur with the Messenger of Allah "Allah's blessing and peace be upon him" and then we stood for the (Fajr) prayer. I (the sub-narrator) asked him: How long was it between both? He said: as much enough to recite fifty Holy Verses (from the Qur'an).

1695- It is narrated on the authority of Hudhaifah that he said: I had Suhur (the night meal taken before fasting) with the Messenger of Allah "Allah's blessing and peace be upon him", and it was the day even though the dawn had not yet risen.

1696- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let not the Adhan pronounced by Bilal prevent anyone of you to have his Suhur: this (Adhan) is just to have the one who is asleep among you wake up, and the one who is standing (for the supererogatory night prayer) among you desist (from the prayer). Verily, the dawn (with which fasting starts) is not as such (the streaks of whose light are vertical), but it is as such (the streaks of whose light are) horizontal in the sky."

1690 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، عَنْ سَعِيدٍ الْمَقْبُرِيِّ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«رُبَّ صَائِمٍ لَيْسَ لَهُ مِنْ صِيَامِهِ إِلاَّ الْجُوعُ. وَرُبَّ قَائِمٍ لَيْسَ لَهُ مِنْ قِيَامِهِ إِلاَّ السَّهَرُ»**.

1691 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا جَرِيرٌ، عَنْ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا كَانَ يَوْمُ صَوْمِ أَحَدِكُمْ فَلاَ يَرْفُثْ وَلاَ يَجْهَلْ. وَإِنْ جَهِلَ عَلَيْهِ أَحَدٌ، فَلْيَقُلْ: إِنِّي امْرُؤٌ صَائِمٌ»**.

22 ـ بابُ ما جَاءَ في السُّحُورِ

1692 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ عَبْدِ الْعَزِيزِ بْنِ صُهَيْبٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«تَسَحَّرُوا فَإِنَّ فِي السُّحُورِ بَرَكَةً»**.

1693 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا أَبُو عَامِرٍ. حَدَّثَنَا زَمْعَةُ بْنُ صَالِحٍ، عَنْ سَلَمَةَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، عَنِ النَّبِيِّ ﷺ قَالَ: **«اسْتَعِينُوا بِطَعَامِ السَّحَرِ عَلَى صِيَامِ النَّهَارِ. وَبِالْقَيْلُولَةِ عَلَى قِيَامِ اللَّيْلِ»**.

23 ـ بابُ ما جَاءَ في تَأْخِيرِ السُّحُورِ

1694 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ هِشَامٍ الدَّسْتَوَائِيِّ، عَنْ قَتَادَةَ، عَنْ أَنَسِ بْنِ مَالِكٍ، عَنْ زَيْدِ بْنِ ثَابِتٍ؛ قَالَ: تَسَحَّرْنَا مَعَ رَسُولِ اللَّهِ ﷺ ثُمَّ قُمْنَا إِلَى الصَّلاَةِ. قُلْتُ: كَمْ بَيْنَهُمَا؟ قَالَ: قَدْرُ قِرَاءَةِ خَمْسِينَ آيَةً.

1695 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ عَاصِمٍ، عَنْ زِرٍّ، عَنْ حُذَيْفَةَ؛ قَالَ: تَسَحَّرْتُ مَعَ رَسُولِ اللَّهِ ﷺ. هُوَ النَّهَارُ إِلاَّ أَنَّ الشَّمْسَ لَمْ تَطْلُعْ.

1696 ـ **حدّثنا** يَحْيَى بْنُ حَكِيمٍ. حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، وَابْنُ أَبِي عَدِيٍّ، عَنْ سُلَيْمَانَ التَّيْمِيِّ، عَنْ أَبِي عُثْمَانَ النَّهْدِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ يَمْنَعَنَّ أَحَدَكُمْ أَذَانُ بِلاَلٍ مِنْ سُحُورِهِ. فَإِنَّهُ يُؤَذِّنُ لِيَنْتَبِهَ نَائِمُكُمْ، وَلِيَرْجِعَ قَائِمَكُمْ. وَلَيْسَ الْفَجْرُ أَنْ يَقُولَ هٰكَذَا. وَلٰكِنْ هٰكَذَا، يَعْتَرِضُ فِي أُفُقِ السَّمَاءِ»**.

[24] Hastening To Break Fast

1697- It is narrated on the authority of Sahl Ibn Sa'd that the Messenger of Allah "Allah's blessing and peace be upon him" said: "People are still good as long as they hasten to (have their food at the time of sunset therewith they) break their fast."

1698- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "People are still good as long as they hasten to (have their food at the time of sunset therewith they) break their fast. So, you should hasten to break your fast (as early as it is due), for the Jews delay it."

[25] Which Food Is Desirable To Break One's Fast With

1699- It is narrated on the authority of Salman Ibn Amir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you breaks his fast, let him break it with dates; and in case he does not find that, let him break his fast with water, for it is pure (and more fitting to be used for breaking fast)."

[26] The Intention Of Fasting Should Be Made At Night

1700- It is narrated on the authority of Ibn Umar from Hafsah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No fasting is (valid) for such as does not intend it at night."

1701- It is narrated on the authority of A'ishah that she said: (Sometimes) The Messenger of Allah "Allah's blessing and peace be upon him" entered into my house, and asked: "Do you have anything (to eat)?" we said: "No." thus, he would say: "Then, I'm fasting." And he would keep fasting until when something was given to us as gift, he would break his fast. She further said: Perhaps he kept fasting (for a portion of the day) and then he broke his fast. I (the sub-narrator) asked: How is that? She said: The example of that is like the example of such as comes out with charity, and gives some and withholds some of it.

Comment: (It goes without saying that this applies only to the voluntary fasts)

[27] When One Intends To Observe Fast, And Morning Comes Upon Him While He Is In The State Of Ceremonial Impurity

1702- It is narrated on the authority of Abu Hurairah that he said: No, by the Lord of the Ka'bah! I has not invented the statement that if morning comes upon anyone while being in the state of ceremonial impurity, let him

24 ـ بابُ ما جَاءَ في تَعْجِيلِ الإِفْطَارِ

1697 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي حَازِمٍ، عَنْ أَبِيهِ، عَنْ سَهْلِ بْنِ سَعْدٍ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«لاَ يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الأَفْطَارَ»**.

1698 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الفِطْرَ. عَجِّلُوا الفِطْرَ، فَإِنَّ الْيَهُودَ يُؤَخِّرُونَ»**.

25 ـ بابُ ما جَاءَ على ما يُسْتَحَبُّ الفِطْرُ

1699 ـ **حدّثنا** عُثْمَانُ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الرَّحِيمِ بْنُ سُلَيْمَانَ، وَمُحَمَّدُ بْنُ فُضَيْلٍ. ح وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ عَاصِمٍ الأَحْوَلِ، عَنْ حَفْصَةَ بِنْتِ سِيرِينَ، عَنِ الرَّبَابِ أُمِّ الرَّائِحِ بِنْتِ صُلَيْعٍ، عَنْ عَمِّهَا سَلْمَانَ بْنِ عَامِرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا أَفْطَرَ أَحَدُكُمْ، فَلْيُفْطِرْ عَلَى تَمْرٍ. فَإِنْ لَمْ يَجِدْ، فَلْيُفْطِرْ عَلَى الْمَاءِ. فَإِنَّهُ طَهُورٌ»**.

26 ـ بابُ ما جَاءَ في فَرْضِ الصَّوْمِ من اللَّيْلِ، والخِيَارِ في الصَّوْمِ

1700 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ الْقَطَوَانِيُّ، عَنْ إِسْحَاقَ بْنِ حَازِمٍ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي بَكْرِ بْنِ عَمْرِو بْنِ حَزْمٍ، عَنْ سَالِمٍ، عَنِ ابْنِ عُمَرَ، عَنْ حَفْصَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ صِيَامَ، لِمَنْ لَمْ يَفْرِضْهُ مِنَ اللَّيْلِ»**.

1701 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ مُوسَى. حَدَّثَنَا شَرِيكٌ، عَنْ طَلْحَةَ بْنِ يَحْيَى، عَنْ مُجَاهِدٍ، عَنْ عَائِشَةَ؛ قَالَتْ: دَخَلَ عَلَيَّ رَسُولُ اللَّهِ ﷺ فَقَالَ: **«هَلْ عِنْدَكُمْ شَيْءٌ؟»** فَنَقُولُ: لاَ. فَيَقُولُ: **«إِنِّي صَائِمٌ»** فَيُقِيمُ عَلَى صَوْمِهِ. ثُمَّ يُهْدَى لَنَا شَيْءٌ فَيُفْطِرُ. قَالَتْ: وَرُبَّمَا صَامَ وَأَفْطَرَ. قُلْتُ: كَيْفَ ذَا؟ قَالَتْ: إِنَّمَا مَثَلُ هٰذَا مَثَلُ الَّذِي يَخْرُجُ بِصَدَقَةٍ. فَيُعْطِي بَعْضاً وَيُمْسِكُ بَعْضاً.

27 ـ بابُ ما جَاءَ في الرَّجُلِ يُصْبِحُ جُنُباً وهُوَ يُرِيدُ الصِّيَامَ

1702 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ يَحْيَى بْنِ جَعْدَةَ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو الْقَارِيِّ؛ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: لاَ. وَرَبِّ الْكَعْبَةِ مَا أَنَا قُلْتُ **«مَنْ أَصْبَحَ، وَهُوَ جُنُبٌ، فَلْيُفْطِرْ»** مُحَمَّدٌ ﷺ قَالَهُ.

break his fast (if he has intended to observe fast). It was Muhammad (the Prophet) "Allah's blessing and peace be upon him" who said that.

1703- It is narrated on the authority of A'ishah that she said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" spent the night in the state of ceremonial impurity because of (having sexual relation with anyone of) his wives, and Bilal came to inform him of the time of the (dawn) prayer, he would get up, take bath, and I would see water dribbling from his head. Then, he would come out, and I would hear his voice (while leading) the Fajr prayer. Mutarrif (a sub-narrator) said: I asked Amir (Ash-Sha'bi who related this narration to him): Is that (applicable) in Ramadan? He said: It is the same whether in Ramadan or at any time else.

1704- It is narrated on the authority of Nafi that he said: I asked Umm Salamah about the man who intends to observe fast and then morning comes upon him while being in the state of ceremonial impurity, thereupon she said: (Sometimes) morning came upon the Messenger of Allah "Allah's blessing and peace be upon him" while being in the state of ceremonial impurity, because of having sexual relations (with his wives) and not because of a wet-dream; and, he would take a bath and complete his fast.

[28] Observing Fasts All The Time

1705- It is narrated on the authority of Mutarrif Ibn Abdullah Ibn Ash-Shakhir from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who observes fasts all the time has, indeed, no (reward of) fasting, nor does he break his fast (because of hunger and thirst which he suffers)."

1706- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let him, who observes fasts all the time, have no (reward of) fasting."

[29] Observing Three Fasts Monthly

1707- It is narrated on the authority of Abd Al-Malik Ibn Al-Minhal from his father that the Messenger of Allah "Allah's blessing and peace be upon him" prompted (Muslims) to observe fasts on the white days of every (lunar) month: from thirteen to fifteen, and he said: "this is like fasting all the time (in reward and superiority)."

(...) The same is narrated on the authority of Abd Al-Malik Ibn Qatadah Ibn Milhan Al-Qaisi from his father from the Prophet "Allah's blessing and peace be upon him" through another chain of transmitters.

1703 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ مُطَرِّفٍ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ النَّبِيُّ ﷺ يُصْبِحُ جُنُباً. فَيَأْتِيهِ بِلاَلٌ، فَيُؤْذِنُهُ بِالصَّلاَةِ فَيَقُومُ فَيَغْتَسِلُ. فَأَنْظُرُ إِلَى تَحَدُّرِ الْمَاءِ مِنْ رَأْسِهِ. ثُمَّ يَخْرُجُ فَأَسْمَعُ صَوْتَهُ فِي صَلاَةِ الْفَجْرِ.

قَالَ مُطَرِّفٌ: فَقُلْتُ لِعَامِرٍ: أَفِي رَمَضَانَ؟ قَالَ: رَمَضَانُ وَغَيْرُهُ سَوَاءٌ.

1704 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ عُبَيْدِ اللَّهِ، عَنْ نَافِعٍ؛ قَالَ: سَأَلَتْ أُمَّ سَلَمَةَ عَنِ الرَّجُلِ يُصْبِحُ، وَهُوَ جُنُبٌ، يُرِيدُ الصَّوْمَ؟ قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يُصْبِحُ جُنُباً مِنَ الْوِقَاعِ، لاَ مِنِ احْتِلاَمٍ، ثُمَّ يَغْتَسِلُ وَيُتِمُّ صَوْمَهُ.

28 ـ بابُ ما جَاءَ في صِيَامِ الدَّهْرِ

1705 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ سَعِيدٍ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، وَأَبُو دَاوُدَ. قَالُوا: حَدَّثَنَا شُعْبَةُ، عَنْ قَتَادَةَ، عَنْ مُطَرِّفِ بْنِ عَبْدِ اللَّهِ بْنِ الشِّخِّيرِ، عَنْ أَبِيهِ؛ قَالَ: قَالَ النَّبِيُّ ﷺ: **«مَنْ صَامَ الأَبَدَ، فَلاَ صَامَ وَلاَ أَفْطَرَ»**.

1706 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ مِسْعَرٍ وَسُفْيَانَ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنْ أَبِي الْعَبَّاسِ الْمَكِّيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ صَامَ مَنْ صَامَ الأَبَدَ»**.

29 ـ بابُ ما جَاءَ في صِيَامِ ثَلاثَةِ أَيَّامٍ مِنْ كُلِّ شَهْرٍ

1707 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا شُعْبَةُ، عَنْ أَنَسِ بْنِ سِيرِينَ، عَنْ عَبْدِ الْمَلِكِ بْنِ الْمِنْهَالِ، عَنْ أَبِيهِ، عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ كَانَ يَأْمُرُ بِصِيَامِ الْبِيضِ. ثَلاَثَ عَشْرَةَ، وَأَرْبَعَ عَشْرَةَ، وَخَمْسَ عَشْرَةَ. وَيَقُولُ: **«هُوَ كَصَوْمِ الدَّهْرِ، أَوْ كَهَيْئَةِ صَوْمِ الدَّهْرِ»**.

حدّثنا إِسْحَاقُ بْنُ مَنْصُورٍ. أَنْبَأَنَا حَبَّانُ بْنُ هِلاَلٍ. حَدَّثَنَا هَمَّامٌ، عَنْ أَنَسِ بْنِ سِيرِينَ. حَدَّثَنِي عَبْدُ الْمَلِكِ بْنُ قَتَادَةَ بْنِ مَلْحَانَ الْقَيْسِيُّ، عَنْ أَبِيهِ، عَنِ النَّبِيِّ ﷺ نَحْوَهُ.

Ibn Majah says: Shu'bah (who said Abd Al-Malik Ibn Al-Minhal) is mistaken, and Hammam (who said Abd Al-Malik Ibn Qatadah) is right.

1708- It is narrated on the authority of Abu Dharr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who observes three fasts monthly will have (the reward of) fasting all the time." Allah Almighty revealed the confirmation of that in His Book: "He that does good shall have ten times as much to his credit." (Al-An'am 160) The day (one fasts) then is accounted as ten days (in reward).

1709- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to observe three fasts monthly. I (Mu'adhah) said to her: From which portion of it (the month did he use to fast)? She said: It was the same to him (to observe fasts) from any portion of it.

[30] The Fasting Of The Messenger Of Allah

1710- It is narrated on the authority of Abu Salamah that he said: I asked A'ishah about the fasting of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon she said: He used to fast (so many days successively) till we said that he would never stop fasting, and he would abandon fasting (so many days successively) till we said that he would never fast. I never saw Allah's Apostle "Allah's blessing and peace be upon him" having fasted in any month more than he fasted in (the month of) Sha'ban: he used to fast most of (the month of) Sha'ban; i.e. he used to fast (the month of) Sha'ban barring a few (days).

1711- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" (sometimes) observed successive fasts that we said: He would not leave fasting; and (sometimes) he left fasting (for many successive days) that we said: He would not fast; and he never observed fasts for a whole month since he reached Medina except (the month of) Ramadan.

[31] The Fasting Of (The Prophet) David

1712- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The dearest fasts to Allah Almighty are those of (the Prophet) David: he used to observe fasts (on alternate days, i.e. to fast) a day and leaving fasting on the next day. The dearest prayer to Allah is that of David: he used to sleep half the night, then offer prayer for its third, and sleep for the (remaining) sixth."

قَالَ ابْنُ مَاجَةَ: أَخْطَأَ شُعْبَةُ وَأَصَابَ هَمَّامٌ.

1708 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ عَاصِمٍ الأَحْوَلِ، عَنْ أَبِي عُثْمَانَ، عَنْ أَبِي ذَرٍّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ صَامَ ثَلاثَةَ أَيَّامٍ مِنْ كُلِّ شَهْرٍ، فَذٰلِكَ صَوْمُ الدَّهْرِ»**.

فَأَنْزَلَ اللَّهُ عَزَّ وَجَلَّ تَصْدِيقَ ذٰلِكَ فِي كِتَابِهِ: ﴿مَن جَآءَ بِٱلْحَسَنَةِ فَلَهُۥ عَشْرُ أَمْثَالِهَا﴾ [الأنعام: 160] فَالْيَوْمُ بِعَشْرَةِ أَيَّامٍ.

1709 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ يَزِيدَ الرِّشْكِ، عَنْ مُعَاذَةَ الْعَدَوِيَّةِ، عَنْ عَائِشَةَ أَنَّهَا قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يَصُومُ ثَلاثَةَ أَيَّامٍ مِنْ كُلِّ شَهْرٍ. قُلْتُ: مِنْ أَيِّهِ؟ قَالَتْ: لَمْ يَكُنْ يُبَالِي مِنْ أَيِّهِ كَانَ.

30 ـ بابُ ما جَاءَ في صِيَامِ النَّبِيِّ ﷺ

1710 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ ابْنِ أَبِي لَبِيدٍ، عَنْ أَبِي سَلَمَةَ؛ قَالَ: سَأَلْتُ عَائِشَةَ عَنْ صَوْمِ النَّبِيِّ ﷺ؟ فَقَالَتْ: كَانَ يَصُومُ حَتَّى نَقُولَ: قَدْ صَامَ. وَيُفْطِرُ حَتَّى نَقُولَ: قَدْ أَفْطَرَ. وَلَمْ أَرَهُ صَامَ مِنْ شَهْرٍ قَطُّ أَكْثَرَ مِنْ صِيَامِهِ مِنْ شَعْبَانَ. كَانَ يَصُومُ شَعْبَانَ كُلَّهُ. كَانَ يَصُومُ شَعْبَانَ إِلاَّ قَلِيلاً.

1711 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ، عَنْ أَبِي بِشْرٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ يَصُومُ حَتَّى نَقُولَ: لاَ يُفْطِرُ. وَيُفْطِرُ حَتَّى نَقُولَ: لاَ يَصُومُ. وَمَا صَامَ شَهْراً مُتَتَابِعاً إِلاَّ رَمَضَانَ، مُنْذُ قَدِمَ الْمَدِينَةَ.

31 ـ بابُ ما جَاءَ في صِيَامِ دَاوُدَ عَلَيْهِ السَّلامُ

1712 ـ **حدّثنا** أَبُو إِسْحَاقَ الشَّافِعِيُّ، إِبْرَاهِيمُ بْنُ مُحَمَّدِ بْنِ الْعَبَّاسِ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ؛ قَالَ: سَمِعْتُ عَمْرَو بْنَ أَوْسٍ قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ عَمْرٍو يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَحَبُّ الصِّيَامِ إِلَى اللَّهِ صِيَامُ دَاوُدَ. فَإِنَّهُ كَانَ يَصُومُ يَوْماً وَيُفْطِرُ يَوْماً. وَأَحَبُّ الصَّلاةِ إِلَى اللَّهِ صَلاةُ دَاوُدَ. كَانَ يَنَامُ نِصْفَ اللَّيْلِ وَيُصَلِّي ثُلُثَهُ وَيَنَامُ سُدُسَهُ»**.

1713- It is narrated on the authority of Abu Qatadah that Umar Ibn Al-Khattab "Allah be pleased with him" said: "O Messenger of Allah! What about him, who observes two fasts and leave fasting on (the third) day?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "Could he have power to do so?" he then said: "O Messenger of Allah! What about him, who observes fasts on alternate days?" he said: "These are the fasts of (the Prophet) David (the dearest in the Sight of Allah Almighty)." He further asked: "Then, what about him who fasts a day and leaves fasting for two days?" he said: "Would that I've been given power to do so."

[32] The Fasting Of (The Prophet) Noah

1714- It is narrated on the authority of Abdullah Ibn Amr that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Noah fasted all the time, barring the Day of Al-Fitr, and the Day of Al-Adha."

[33] Observing Six Fasts From Shawwal

1715- It is narrated on the authority of Thawban, the freed slave of the Messenger of Allah "Allah's blessing and peace be upon him" that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who observes six fasts after the Day of Al-Fitr, has, indeed, completed (fasting for) the whole year (on the basis that he has fasted thirty-six days and) "He that does good shall have ten times as much to his credit.""

1716- It is narrated on the authority of Abu Ayyub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" Said: "He, who observes fasts of Ramadan, in addition to six fasts from Shawwal, those become like the fasting all the time."

[34] Observing A Fast In The Cause Of Allah Almighty

1717- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" Said: "He, who fasts a day in the Cause of Allah, Allah will take the fire (of Hell) away from his face as far as (a distance covered in) seventy autumns."

1718- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" Said: "He, who fasts a day in the Cause of Allah, Allah will move his face away from the fire (of Hell) as far as (a distance covered in) seventy autumns."

1713 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنَا غَيْلاَنُ بْنُ جَرِيرٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَعْبَدٍ الزِّمَّانِيِّ، عَنْ أَبِي قَتَادَةَ؛ قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: يَا رَسُولَ اللَّهِ كَيْفَ بِمَنْ يَصُومُ يَوْمَيْنِ وَيُفْطِرُ يَوْماً؟ قَالَ: «**وَيُطِيقُ ذٰلِكَ أَحَدٌ؟**» قَالَ: يَا رَسُولَ اللَّهِ كَيْفَ بِمَنْ يَصُومُ يَوْماً وَيُفْطِرُ يَوْماً؟ قَالَ: «**ذٰلِكَ صَوْمُ دَاوُدَ**» قَالَ: كَيْفَ بِمَنْ يَصُومُ يَوْماً وَيُفْطِرُ يَوْمَيْنِ؟ قَالَ: «**وَدِدْتُ أَنِّي طُوِّقْتُ ذٰلِكَ**».

32 ـ بابُ ما جَاءَ في صِيَامِ نُوحٍ عَلَيْهِ السَّلاَمُ

1714 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا سَعِيدُ بْنُ أَبِي مَرْيَمَ، عَنِ ابْنِ لَهِيعَةَ، عَنْ جَعْفَرِ بْنِ رَبِيعَةَ، عَنْ أَبِي فِرَاسٍ؛ أَنَّهُ سَمِعَ عَبْدَ اللَّهِ بْنَ عَمْرٍو يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**صَامَ نُوحٌ الدَّهْرَ، إِلاَّ يَوْمَ الْفِطْرِ وَيَوْمَ الأَضْحَىٰ**».

33 ـ بابُ صِيَامِ سِتَّةِ أَيَّامٍ مِنْ شَوَّالٍ

1715 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا بَقِيَّةُ. حَدَّثَنَا صَدَقَةُ بْنُ خَالِدٍ. حَدَّثَنَا يَحْيَىٰ بْنُ الْحٰرِثِ الذِّمَارِيُّ؛ قَالَ: سَمِعْتُ أَبَا أَسْمَاءَ الرَّحَبِيَّ، عَنْ ثَوْبَانَ مَوْلَى رَسُولِ اللَّهِ ﷺ، عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ قَالَ: «**مَنْ صَامَ سِتَّةَ أَيَّامٍ بَعْدَ الْفِطْرِ، كَانَ تَمَامَ السَّنَةِ. مَنْ جَاءَ بِالْحَسَنَةِ فَلَهُ عَشْرُ أَمْثَالِهَا**».

1716 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ سَعْدِ بْنِ سَعِيدٍ، عَنْ عُمَرَ بْنِ ثَابِتٍ، عَنْ أَبِي أَيُّوبَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ بِسِتٍّ مِنْ شَوَّالٍ، كَانَ كَصَوْمِ الدَّهْرِ**».

34 ـ بابٌ في صِيَامِ يَوْمٍ في سَبِيلِ الله

1717 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحِ بْنِ الْمُهَاجِرِ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنِ ابْنِ الْهَادِ، عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ، عَنِ النُّعْمَانِ بْنِ أَبِي عَيَّاشٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ صَامَ يَوْماً فِي سَبِيلِ اللَّهِ، بَاعَدَ اللَّهُ، بِذٰلِكَ الْيَوْمِ، النَّارَ مِنْ وَجْهِهِ سَبْعِينَ خَرِيفاً**».

1718 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا أَنَسُ بْنُ عِيَاضٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَبْدِ الْعَزِيزِ اللَّيْثِيُّ، عَنِ الْمَقْبُرِيِّ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ صَامَ يَوْماً فِي سَبِيلِ اللَّهِ، زَحْزَحَ اللَّهُ وَجْهَهُ عَنِ النَّارِ سَبْعِينَ خَرِيفاً**».

[35] It Is Forbidden To Observe Fasts On The Days Of Tashriq

1719- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The days (the pilgrims stay in) Mina are days of eating and drinking (on which fasting is forbidden)."

1720- It is narrated on the authority of Bishr Ibn Suhaim that he said: The Messenger of Allah "Allah's blessing and peace be upon him" addressed us on the days of Tashriq and said: "None would be admitted to the Garden but a Muslim soul; and verily, those days are days of eating and drinking (on which fasting is forbidden)."

[36] It Is Forbidden To Fast On The Days Of Al-Fitr And Al-Adha

1721- It is narrated on the authority of Abu Sa'id that the Messenger of Allah "Allah's blessing and peace be upon him" forbade fasting on both days of Al-Fitr (breaking fast after the month of Ramadan) and Al-Adha (Offering Sacrifice).

1722- It is narrated on the authority of Abu Ubaid that he said: I attended the Id (ceremonies) with Umar Ibn Al-Khattab; and he started with the prayer before the sermon, and then he said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade observing fast on those days: the day of Al-Fitr and the day of Al-Adha. As to the day of Al-Fitr, it is that on which you break your fasts (of the whole month of Ramadan); and as to the day of Al-Adha, it is that on which you eat of the meat of your sacrifices."

[37] Observing Fast On Friday

1723- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah forbade observing fast on Friday, unless (one fasts) a day before or after it.

1724- It is narrated on the authority of Muhammad Ibn Abbad Ibn Ja'far that he said: I asked Jabir while I was circumambulating (the House) whether the Messenger of Allah "Allah's blessing and peace be upon him" had forbidden observing fast on Friday (alone); and he said: "Yes, by the Lord of this House."

1725- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: I rarely saw the Messenger of Allah "Allah's blessing and peace be upon him" having left fasting on Friday (which he used to fast with Thursday).

35 ـ بابُ ما جَاءَ في النَّهْيِ عَنْ صِيَامِ أيَّامِ التَّشْرِيقِ

1719 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ سُلَيْمَانَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَيَّامُ مِنًى، أَيَّامُ أَكْلٍ وَشُرْبٍ**».

1720 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنْ نَافِعِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ، عَنْ بِشْرِ بْنِ سُحَيْمٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ خَطَبَ أَيَّامَ التَّشْرِيقِ فَقَالَ: «**لاَ يَدْخُلُ الْجَنَّةَ إِلاَّ نَفْسٌ مُسْلِمَةٌ. وَإِنَّ هٰذِهِ الأَيَّامَ أَيَّامُ أَكْلٍ وَشُرْبٍ**».

36 ـ بابٌ في النَّهْيِ عَنْ صِيَامِ يَوْمِ الفِطْرِ والأَضْحَى

1721 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَىٰ بْنُ يَعْلَىٰ التَّيْمِيُّ، عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ، عَنْ قَزَعَةَ، عَنْ أَبِي سَعِيدٍ، عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ نَهَىٰ عَنْ صَوْمِ يَوْمِ الْفِطْرِ وَيَوْمِ الأَضْحَىٰ.

1722 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ أَبِي عُبَيْدٍ؛ قَالَ: شَهِدْتُ الْعِيدَ مَعَ عُمَرَ بْنِ الْخَطَّابِ. فَبَدَأَ بِالصَّلاَةِ قَبْلَ الْخُطْبَةِ. فَقَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ نَهَىٰ عَنْ صِيَامِ هٰذَيْنِ الْيَوْمَيْنِ، يَوْمِ الْفِطْرِ وَيَوْمِ الأَضْحَىٰ. أَمَّا يَوْمُ الْفِطْرِ، فَيَوْمُ فِطْرِكُمْ مِنْ صِيَامِكُمْ. وَيَوْمُ الأَضْحَىٰ تَأْكُلُونَ فِيهِ مِنْ لَحْمِ نُسُكِكُمْ.

37 ـ بابٌ في صِيَامِ يَوْمِ الجُمُعَةِ

1723 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، وَحَفْصُ بْنُ غِيَاثٍ، عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ صَوْمِ يَوْمِ الْجُمُعَةِ إِلاَّ بِيَوْمٍ قَبْلَهُ، أَوْ يَوْمٍ بَعْدَهُ.

1724 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ الْحَمِيدِ بْنِ جُبَيْرِ بْنِ شَيْبَةَ، عَنْ مُحَمَّدِ بْنِ عَبَّادِ بْنِ جَعْفَرٍ؛ قَالَ: سَأَلْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ، وَأَنَا أَطُوفُ بِالْبَيْتِ: أَنَهَى النَّبِيُّ ﷺ عَنْ صِيَامِ يَوْمِ الْجُمُعَةِ؟ قَالَ: نَعَمْ. وَرَبِّ هٰذَا الْبَيْتِ!

1725 ـ **حدّثنا** إِسْحَاقُ بْنُ مَنْصُورٍ. أَنْبَأَنَا أَبُو دَاوُدَ. حَدَّثَنَا شَيْبَانُ، عَنْ عَاصِمٍ، عَنْ زِرٍّ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: قَلَّمَا رَأَيْتُ رَسُولَ اللَّهِ ﷺ يُفْطِرُ يَوْمَ الْجُمُعَةِ.

[38] Observing Fast On Saturday

1726- It is narrated on the authority of Abdullah Ibn Busr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not observe fast on Saturday unless it (comes among the days on which fasting is) binding upon you: (apart from that) if anyone of you finds nothing (to eat) other than even a stick of grapes or an outer skin of a tree, let him touch it (with his tongue to break his fast)."

(...) It is narrated on the authority of Abdullah Ibn Busr from his sister that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said...and he mentioned the same.

[39] Observing The Ten Fasts (Of Dhul-Hijjah)

1727- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah said: "There are no days, on which the righteous deed is much dearer to Allah than it is on those days" i.e. the first ten days of Dhul-Hijjah. They said: "O Messenger of Allah! And not even the fight in the Cause of Allah?" he said: "And not even the fight in the Cause of Allah, barring one who sets out with his soul and property (in the Cause of Allah), and then does not return from that with anything" (i.e. he is killed in the Way of Allah).

1728- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are no days of the days of this world, on which observing religious service to Allah Almighty is much dearer to Him than it is on those ten days ; and observing fast on a day of them is equal (in reward) to observing fasts for a whole year; and (standing for supererogatory prayer) on a night of them is equal (in reward) to (standing for prayer on) the Night of Qadr."

1729- It is narrated on the authority of A'ishah that she said: I've never seen the Messenger of Allah "Allah's blessing and peace be upon him" having observed all of those ten fasts (of Dhul-Hijjah).

[40] Observing Fast On The Day Of Arafah

1730- It is narrated on the authority of Abu Qatadah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "As to observing fast on the Day of Arafah, I expect from Allah to plot out (for it the sins of) the year before and the year after it."

1731- It is narrated on the authority of Qatadah Ibn An-Nu'man that he

38 ـ بابُ ما جَاءَ في صِيَامِ يَوْمِ السَّبْتِ

1726 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عِيسَى بْنُ يُونُسَ، عَنْ ثَوْرِ بْنِ يَزِيدَ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنْ عَبْدِ اللَّهِ بْنِ بُسْرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَصُومُوا يَوْمَ السَّبْتِ إِلاَّ فِيمَا افْتُرِضَ عَلَيْكُمْ. فَإِنْ لَمْ يَجِدْ أَحَدُكُمْ إِلاَّ عُودَ عِنَبٍ، أَوْ لِحَاءَ شَجَرَةٍ، فَلْيَمُصَّهُ»**.

حدّثنا حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا سُفْيَانُ بْنُ حَبِيبٍ، عَنْ ثَوْرِ بْنِ يَزِيدَ، عَنْ خَالِدِ بْنِ مَعْدَانَ عَنْ عَبْدِ اللَّهِ بْنِ بُسْرٍ، عَنْ أُخْتِهِ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ. فَذَكَرَ نَحْوَهُ.

39 ـ بابُ صِيَامِ العَشْرِ

1727 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ الْبَطِينِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا مِنْ أَيَّامٍ، الْعَمَلُ الصَّالِحُ فِيهَا أَحَبُّ إِلَى اللَّهِ، مِنْ هٰذِهِ الأَيَّامِ»** يَعْنِي الْعَشْرَ. قَالُوا: يَا رَسُولَ اللَّهِ وَلاَ الْجِهَادُ فِي سَبِيلِ اللَّهِ قَالَ: **«وَلاَ الْجِهَادُ فِي سَبِيلِ اللَّهِ. إِلاَّ رَجُلٌ خَرَجَ بِنَفْسِهِ وَمَالِهِ فَلَمْ يَرْجِعْ مِنْ ذٰلِكَ بِشَيْءٍ»**.

1728 ـ **حدّثنا** عُمَرُ بْنُ شَبَّةَ بْنِ عَبِيدَةَ. حَدَّثَنَا مَسْعُودُ بْنُ وَاصِلٍ، عَنِ النَّهَّاسِ بْنِ قَهْمٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا مِنْ أَيَّامِ الدُّنْيَا أَيَّامٌ، أَحَبُّ إِلَى اللَّهِ سُبْحَانَهُ أَنْ يُتَعَبَّدَ لَهُ فِيهَا، مِنْ أَيَّامِ الْعَشْرِ. وَإِنَّ صِيَامَ يَوْمٍ فِيهَا لَيَعْدِلُ صِيَامَ سَنَةٍ، وَلَيْلَةٍ فِيهَا بِلَيْلَةِ الْقَدْرِ»**.

1729 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ؛ قَالَتْ: مَا رَأَيْتُ رَسُولَ اللَّهِ ﷺ صَامَ الْعَشْرَ قَطُّ.

40 ـ بابُ صِيَامِ يَوْمِ عَرَفَةَ

1730 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنَا غَيْلاَنُ بْنُ جَرِيرٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَعْبَدٍ الزِّمَّانِيِّ، عَنْ أَبِي قَتَادَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«صِيَامُ يَوْمِ عَرَفَةَ، إِنِّي أَحْتَسِبُ عَلَى اللَّهِ أَنْ يُكَفِّرَ السَّنَةَ الَّتِي قَبْلَهُ وَالَّتِي بَعْدَهُ»**.

1731 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا يَحْيَى بْنُ حَمْزَةَ، عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ، عَنْ عِيَاضِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ، عَنْ قَتَادَةَ بْنِ النُّعْمَانِ؛

said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who observes fast on the day of Arafah, (the sins of) a year before and a year after it will be forgiven for him."

1732- It is narrated on the authority of Ikrimah that he said: I visited Abu Hurairah in his house, and asked him about fasting on the day of Arafah (while one is standing) at Arafat, thereupon he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade fasting on the day of Arafah (while one is standing) at Arafat.

[41] Fasting On The Day Of Ashura' (Tenth Of Muharram)

1733- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to observe fast on the day of Ashura' (tenth of Muharram), and he ordered (people) to observe fast on it.

1734- It is narrated on the authority of Ibn Abbas that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" came to Medina, he found that the Jews observed fast (on the tenth day of Muharram), thereupon he asked them about the reason for that, and they said: "This is the day on which Allah saved Moses and He caused Pharaoh to drown (in the sea); and Moses fasted on it out of thanks (to Allah)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "We (Muslims) have more claim over Moses than you." He then fasted on it, and ordered (people) to fast on it.

1735- It is narrated on the authority of Muhammad Ibn Saifi that he said: On the day of Ashura', the Messenger of Allah "Allah's blessing and peace be upon him" said to us: "Is there anyone of you who has got food today?" we said: "Some of us had got food and others has not yet." On that he said: "Complete the remaining portion of your day (as fasting) those who have got food and those who have not, and send to the inhabitants of the area to complete their day (as fasting)." He meant the area around Medina.

1736- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If I live to the coming (year) I will observe fast on the ninth day (of Muharram in addition to that of Ashura')."

1737- It is narrated on the authority of Abdullah Ibn Umar that he said: Once, the day of Ashura' was mentioned in the presence of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "It

قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَنْ صَامَ يَوْمَ عَرَفَةَ، غُفِرَ لَهُ سَنَةً أَمَامَهُ وَسَنَةً بَعْدَهُ».

1732 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنِي حَوْشَبُ بْنُ عَقِيلٍ. حَدَّثَنِي مَهْدِيٌّ الْعَبْدِيُّ، عَنْ عِكْرِمَةَ؛ قَالَ: دَخَلْتُ عَلَى أَبِي هُرَيْرَةَ فِي بَيْتِهِ، فَسَأَلْتُهُ عَنْ صَوْمِ يَوْمِ عَرَفَةَ بِعَرَفَاتٍ؟ فَقَالَ أَبُو هُرَيْرَةَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ صَوْمِ يَوْمِ عَرَفَةَ بِعَرَفَاتٍ.

41 ـ بَابُ صِيَامِ يَوْمِ عَاشُورَاءَ

1733 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يَصُومُ عَاشُورَاءَ، وَيَأْمُرُ بِصِيَامِهِ.

1734 ـ **حدّثنا** سَهْلُ بْنِ أَبِي سَهْلٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَيُّوبَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَدِمَ النَّبِيُّ ﷺ الْمَدِينَةَ. فَوَجَدَ الْيَهُودَ صُيَّاماً. فَقَالَ: «مَا هٰذَا؟» قَالُوا: هٰذَا يَوْمٌ أَنْجَى اللَّهُ فِيهِ مُوسَى، وَأَغْرَقَ فِيهِ فِرْعَوْنَ، فَصَامَهُ مُوسَى شُكْراً. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**نَحْنُ أَحَقُّ بِمُوسَى مِنْكُمْ**» فَصَامَهُ، وَأَمَرَ بِصِيَامِهِ.

1735 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ حُصَيْنٍ، عَنِ الشَّعْبِيِّ، عَنْ مُحَمَّدِ بْنِ صَيْفِيَ؛ قَالَ: قَالَ لَنَا رَسُولُ اللَّهِ ﷺ، يَوْمَ عَاشُورَاءَ: «**مِنْكُمْ أَحَدٌ طَعِمَ الْيَوْمَ؟**» قُلْنَا: مِنَّا طَعِمَ وَمِنَّا مَنْ لَمْ يَطْعَمْ. قَالَ: «**فَأَتِمُّوا بَقِيَّةَ يَوْمِكُمْ. مَنْ كَانَ طَعِمَ وَمَنْ لَمْ يَطْعَمْ. فَأَرْسِلُوا إِلَى أَهْلِ الْعَرُوضِ فَلْيُتِمُّوا بَقِيَّةَ يَوْمِهِمْ**» قَالَ يَعْنِي أَهْلَ الْعَرُوضِ حَوْلَ الْمَدِينَةِ.

1736 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنِ الْقَاسِمِ بْنِ عَبَّاسٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَيْرٍ، مَوْلَى ابْنِ عَبَّاسٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَئِنْ بَقِيتُ إِلَى قَابِلٍ لأَصُومَنَّ الْيَوْمَ التَّاسِعَ**».

قَالَ أَبُو عَلِيٍّ: رَوَاهُ أَحْمَدُ بْنُ يُونُسَ عَنِ ابْنِ أَبِي ذِئْبٍ. زَادَ فِيهِ: مَخَافَةَ أَنْ يَفُوتَهُ عَاشُورَاءُ.

1737 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ أَنَّهُ ذُكِرَ، عِنْدَ رَسُولِ اللَّهِ ﷺ، يَوْمُ عَاشُورَاءَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**كَانَ يَوْماً يَصُومُهُ أَهْلُ الْجَاهِلِيَّةِ. فَمَنْ أَحَبَّ مِنْكُمْ أَنْ يَصُومَهُ فَلْيَصُمْهُ، وَمَنْ كَرِهَهُ فَلْيَدَعْهُ**».

was a day, on which those of the pre-Islamic period of ignorance used to observe fast: so, if anyone of you likes to fast on it, let him do so, and if anyone dislikes that, let him abandon it."

1738- It is narrated on the authority of Abu Qatadah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "As to fasting on the day of Ashura', I expect from Allah to plot out the (sins of the) year before it."

[42] Observing Fast On Monday And Thursday

1739- It is narrated on the authority of Ar-Rabie Ibn Al-Ghazi that he asked A'ishah about the fasting of the Messenger of Allah "Allah's blessing and peace be upon him", and she said: He was eager to observe fast on Monday and Thursday.

1740- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to observe fast on Monday and Thursday, and it was said to him: "O Messenger of Allah! You always observe fast on Monday and Thursday (why is that?)" on that he said: "On Monday and Thursday, Allah forgives for every Muslim, barring two who desert one another, thereupon He says: Let them until they reconcile."

[43] Observing Fasts Of The Sacred Months

1741- It is narrated on the authority of Abu Mujibah Al-Bahili from his father or his paternal uncle that he said: I came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I'm the one who came to you in the first year." He said: "Why do I see your body weak (and faint)?" he said: "O Messenger of Allah! I've never eaten food during the day (because of fasting all the time), and I've never eaten it but at night." He said: "Who ordered you to torment yourself (as such)?" he said: "O Messenger of Allah! I have power (to do) more." He said: "Then, observe the fasts of the month of patience (i.e. the month of Ramadan) and a day after it." I said: "I have power (to do) more." He said: "Then, observe the fasts of the month of patience, and two days after it." I said: "O Messenger of Allah! I have power (to do) more." On that he said: "Observe the fasts of the month of patience, three days after it, and the Sacred Months."

1742- It is narrated on the authority of Abu Hurairah that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and asked him: "Which fasts are better after those of Ramadan?" he said: "Those of Allah's Month, which you call Al-Muharram."

1738 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنَا غَيْلاَنُ بْنُ جَرِيرٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَعْبَدٍ الزِّمَّانِيِّ، عَنْ أَبِي قَتَادَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«صِيَامُ يَوْمِ عَاشُورَاءَ، إِنِّي أَحْتَسِبُ عَلَى اللَّهِ أَنْ يُكَفِّرَ السَّنَةَ الَّتِي قَبْلَهُ»**.

42 ـ بابُ صِيَامِ يَوْمِ الاثْنَيْنِ والخَمِيسِ

1739 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا يَحْيَى بْنُ حَمْزَةَ. حَدَّثَنِي ثَوْرُ بْنُ يَزِيدَ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنْ رَبِيعَةَ بْنِ الْغَازِ؛ أَنَّهُ سَأَلَ عَائِشَةَ عَنْ صِيَامِ رَسُولِ اللَّهِ ﷺ فَقَالَتْ: كَانَ يَتَحَرَّى صِيَامَ الاِثْنَيْنِ وَالْخَمِيسِ.

1740 ـ **حدّثنا** الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ. حَدَّثَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنْ مُحَمَّدِ بْنِ رِفَاعَةَ، عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ كَانَ يَصُومُ الاِثْنَيْنِ وَالْخَمِيسَ. فَقِيلَ: يَا رَسُولَ اللَّهِ إِنَّكَ تَصُومُ الاِثْنَيْنِ وَالْخَمِيسَ؟ فَقَالَ: **«إِنَّ يَوْمَ الاِثْنَيْنِ وَالْخَمِيسَ يَغْفِرُ اللَّهُ فِيهِمَا لِكُلِّ مُسْلِمٍ. إِلاَّ مُتَهَاجِرَيْنِ. يَقُولُ: دَعْهُمَا حَتَّى يَصْطَلِحَا»**.

43 ـ بابُ صِيَامِ أَشْهُرِ الحُرُمِ

1741 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ الْجُرَيْرِيِّ، عَنْ أَبِي السَّلِيلِ، عَنْ أَبِي مُجِيبَةَ الْبَاهِلِيِّ، عَنْ أَبِيهِ أَوْ عَنْ عَمِّهِ؛ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ: يَا نَبِيَّ اللَّهِ أَنَا الرَّجُلُ الَّذِي أَتَيْتُكَ عَامَ الأَوَّلِ. قَالَ: **«فَمَا لِي أَرَى جِسْمَكَ نَاحِلاً؟»** قَالَ: يَا رَسُولَ اللَّهِ مَا أَكَلْتُ طَعَاماً بِالنَّهَارِ. مَا أَكَلْتُهُ إِلاَّ بِاللَّيْلِ. قَالَ: **«مَنْ أَمَرَكَ أَنْ تُعَذِّبَ نَفْسَكَ؟»** قُلْتُ: يَا رَسُولَ اللَّهِ إِنِّي أَقْوَى. قَالَ: **«صُمْ شَهْرَ الصَّبْرِ وَيَوْماً بَعْدَهُ»** قُلْتُ: إِنِّي أَقْوَى. قَالَ: **«صُمْ شَهْرَ الصَّبْرِ وَيَوْمَيْنِ بَعْدَهُ»** قُلْتُ: إِنِّي أَقْوَى. قَالَ: **«صُمْ شَهْرَ الصَّبْرِ وَثَلاَثَةَ أَيَّامٍ بَعْدَهُ. وَصُمْ أَشْهُرَ الْحُرُمِ»**.

1742 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا الْحُسَيْنُ بْنُ عَلِيٍّ، عَنْ زَائِدَةَ، عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ، عَنْ مُحَمَّدِ بْنِ الْمُنْتَشِرِ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمٰنِ الْحِمْيَرِيِّ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: أَيُّ الصِّيَامِ أَفْضَلُ بَعْدَ شَهْرِ رَمَضَانَ؟ قَالَ: **«شَهْرُ اللَّهِ الَّذِي تَدْعُونَهُ الْمُحَرَّمَ»**.

1743- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" forbade fasting (the whole month of) Rajab.

1744- It is narrated on the authority of Muhammad Ibn Ibrahim that Usamah Ibn Zaid used to fast the Sacred Months, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Fast (only the month of) Shawwal." He then left fasting the Sacred Months, for the fasts of Shawwal, on which he kept until he died.

[44] Fasting Is The Obligatory Charity Due Upon The Body

1745- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "For everything, there is obligatory charity due upon it; and the obligatory charity due upon the body is fasting." Muhriz added in his narration: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Fasting is half the patience."

[45] The Reward Of Such As (Serves Food To) Have A Fasting Person Break His Fast

1746- It is narrated on the authority of Zaid Ibn Khalid Al-Juhani that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who (serves food to) have fasting persons break their fast, will have the like of their reward, without reducing anything from theirs."

1747- It is narrated on the authority of Abdullah Ibn Az-Zubair that once, the Messenger of Allah "Allah's blessing and peace be upon him" had (his meal of) breaking fast in the house of Sa'd Ibn Mu'adh, thereupon he said: "Let the fasting persons break their fasts in your house (so that you would get the like of their rewards), and let the dutiful pious persons eat your food, and might the angels (of mercy and goodness) be directed upon you!"

[46] When A Fasting Person Has Some People Eat In His House

1748- It is narrated on the authority of Umm Umarah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" came to us, and we served him with food, and some of the household were fasting, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "If a fasting person has some people eat in his house (while he is fasting), the angels are directed upon him (with good and blessing)."

1749- It is narrated on the authority of Sulaiman Ibn Buraidah from his father that once, the Messenger of Allah "Allah's blessing and peace be

1743 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا دَاوُدُ بْنُ عَطَاءٍ. حَدَّثَنِي زَيْدُ بْنُ عَبْدِ الْحَمِيدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ زَيْدِ بْنِ الْخَطَّابِ، عَنْ سُلَيْمَانَ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ نَهَىٰ عَنْ صِيَامِ رَجَبٍ.

1744 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. حَدَّثَنَا عَبْدُ الْعَزِيزِ الدَّرَاوَرْدِيُّ، عَنْ يَزِيدَ بْنِ عَبْدِ اللَّهِ بْنِ أُسَامَةَ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ؛ أَنَّ أُسَامَةَ بْنَ زَيْدٍ كَانَ يَصُومُ أَشْهُرَ الْحُرُمِ. فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «**صُمْ شَوَّالاً**» فَتَرَكَ أَشْهُرَ الْحُرُمِ. ثُمَّ لَمْ يَزَلْ يَصُومُ شَوَّالاً حَتَّى مَاتَ.

44 ـ بابٌ في «الصَّوْمُ زَكَاةُ الجَسَدِ»

1745 ـ **حدّثنا** أَبُو بَكْرٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ. ح وَحَدَّثَنَا مُحْرِزُ بْنُ سَلَمَةَ الْعَدَنِيُّ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، جَمِيعاً عَنْ مُوسَىٰ بْنِ عُبَيْدَةَ، عَنْ جُمْهَانَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لِكُلِّ شَيْءٍ زَكَاةٌ. وَزَكَاةُ الْجَسَدِ الصَّوْمُ**».

زَادَ مُحْرِزٌ فِي حَدِيثِهِ: وَقَالَ رَسُولُ اللَّهِ ﷺ: «**الصِّيَامُ نِصْفُ الصَّبْرِ**».

45 ـ بابٌ في ثَوَابِ مَنْ فَطَّرَ صَائِماً

1746 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنِ ابْنِ أَبِي لَيْلَىٰ وَخَالِي يَعْلَىٰ، عَنْ عَبْدِ الْمَلِكِ وَأَبُو مُعَاوِيَةَ، عَنْ حَجَّاجٍ كُلُّهُمْ عَنْ عَطَاءٍ، عَنْ زَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ فَطَّرَ صَائِماً كَانَ لَهُ مِثْلُ أَجْرِهِمْ. مِنْ غَيْرِ أَنْ يَنْقُصَ مِنْ أُجُورِهِمْ شَيْئاً**».

1747 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سَعِيدُ بْنُ يَحْيَىٰ اللَّخْمِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو، عَنْ مُصْعَبِ بْنِ ثَابِتٍ، عَنْ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ؛ قَالَ: أَفْطَرَ رَسُولُ اللَّهِ ﷺ عِنْدَ سَعْدِ بْنِ مُعَاذٍ فَقَالَ: «**أَفْطَرَ عِنْدَكُمُ الصَّائِمُونَ، وَأَكَلَ طَعَامَكُمُ الأَبْرَارُ، وَصَلَّتْ عَلَيْكُمُ الْمَلاَئِكَةُ**».

46 ـ بابٌ في الصَّائِمِ إذا أُكِلَ عِنْدَهُ

1748 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَسَهْلٌ. قَالُوا: حَدَّثَنَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ حَبِيبِ بْنِ زَيْدٍ الأَنْصَارِيِّ، عَنِ امْرَأَةٍ يُقَالُ لَهَا لَيْلَى، عَنْ أُمِّ عُمَارَةَ؛ قَالَتْ: أَتَانَا رَسُولُ اللَّهِ ﷺ فَقَرَّبْنَا إِلَيْهِ طَعَاماً. فَكَانَ بَعْضُ مَنْ عِنْدَهُ صَائِماً. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**الصَّائِمُ إِذَا أُكِلَ عِنْدَهُ الطَّعَامُ، صَلَّتْ عَلَيْهِ الْمَلاَئِكَةُ**».

1749 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُصَفَّى. حَدَّثَنَا بَقِيَّةُ. حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ لِبِلاَلٍ: «**الْغَدَاءُ**

upon him" said to Bilal: "Bring the lunch O Bilal!" he said: "I'm fasting." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let's eat our sustenance (doomed to us by Allah), and the surplus of Bilal's sustenance will be in the Garden. Do you know O Bilal that the bones of a fasting person declare the Glory (of Allah), and the angels ask for (Allah's) Forgiveness for him when he has someone eat in his house (while he is fasting)?"

[47] When A Fasting Person Is Invited To A Meal

1750- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you is invited to a meal, while he is fasting, let him say: I'm fasting."

1751- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is invited to food, while he is fasting (voluntarily), let him answer (the invitation): then, he could eat if he so likes, or refrain (from eating) if he so likes."

[48] The Invocation Of A Fasting Person Is Not Rejected

1752- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah said: "There are three persons, whose invocation is not rejected (by Allah): the just ruler, the fasting person until he breaks his fast, and the invocation of a wronged person, which Allah will raise up as the clouds on the Day of Judgement, and for which the gates of the heavens are opened; and He says: "By My Power and Honour, I'm going to support you (against your oppressors) even though after a long time!""

1753- It is narrated on the authority of Abdullah Ibn Amr Ibn Al-As that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the fasting person has, on breaking his fast, an invocation which is never rejected (by Allah)." Ibn Abu Mulaikah said: I heard Abdullah Ibn Amr having said on breaking his fast: "O Allah! I ask You, by Your Mercy, which extends over all things, to forgive for me."

[49] Eating On The Day Of (Id) Al-Fitr Before Coming Out

1754- It is narrated on the authority of Anas Ibn Malik that he said: The Prophet "Allah's blessing and peace be upon him" used not to come out on the day of (Id) Al-Fitr until he got some dates.

1755- It is narrated on the authority of Ibn Umar that he said: The Prophet "Allah's blessing and peace be upon him" used not to come out

يَا بِلَالُ» فَقَالَ: إِنِّي صَائِمٌ. قَالَ رَسُولُ اللَّهِ ﷺ: «نَأْكُلُ أَرْزَاقَنَا. وَفَضْلُ رِزْقِ بِلَالٍ فِي الْجَنَّةِ. أَشَعَرْتَ يَا بِلَالُ أَنَّ الصَّائِمَ تُسَبِّحُ عِظَامُهُ وَتَسْتَغْفِرُ لَهُ الْمَلَائِكَةُ مَا أُكِلَ عِنْدَهُ؟».

47 - بَابُ مَنْ دُعِيَ إِلَى طَعَامٍ وَهُوَ صَائِمٌ

1750 - **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالَا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَبِي الزِّنَادِ، عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا دُعِيَ أَحَدُكُمْ إِلَى طَعَامٍ، وَهُوَ صَائِمٌ، فَلْيَقُلْ: إِنِّي صَائِمٌ».

1751 - **حدّثنا** أَحْمَدُ بْنُ يُوسُفَ السُّلَمِيُّ. حَدَّثَنَا أَبُو عَاصِمٍ. أَنْبَأَنَا ابْنُ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ دُعِيَ إِلَى طَعَامٍ، وَهُوَ صَائِمٌ، فَلْيُجِبْ. فَإِنْ شَاءَ طَعِمَ، وَإِنْ شَاءَ تَرَكَ».

48 - بَابٌ فِي «الصَّائِمُ لَا تُرَدُّ دَعْوَتُهُ»

1752 - **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ سَعْدَانَ الْجُهَنِيِّ، عَنْ سَعْدٍ أَبِي مُجَاهِدٍ الطَّائِيِّ (وَكَانَ ثِقَةً)، عَنْ أَبِي مُدِلَّةَ (وَكَانَ ثِقَةً)، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «ثَلَاثَةٌ لَا تُرَدُّ دَعْوَتُهُمْ: الْإِمَامُ الْعَادِلُ. وَالصَّائِمُ حَتَّى يُفْطِرَ. وَدَعْوَةُ الْمَظْلُومِ يَرْفَعُهَا اللَّهُ دُونَ الْغَمَامِ يَوْمَ الْقِيَامَةِ، وَتُفْتَحُ لَهَا أَبْوَابُ السَّمَاءِ، وَيَقُولُ: بِعِزَّتِي لَأَنْصُرَنَّكِ وَلَوْ بَعْدَ حِينٍ».

1753 - **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ. حَدَّثَنَا إِسْحَاقُ بْنُ عُبَيْدِ اللَّهِ الْمَدَنِيُّ؛ قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ أَبِي مُلَيْكَةَ يَقُولُ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ عَمْرِو بْنِ الْعَاصِ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ لِلصَّائِمِ عِنْدَ فِطْرِهِ لَدَعْوَةً مَا تُرَدُّ».

قَالَ ابْنُ أَبِي مُلَيْكَةَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ عَمْرٍو يَقُولُ، إِذَا أَفْطَرَ: اللَّهُمَّ إِنِّي أَسْأَلُكَ بِرَحْمَتِكَ، الَّتِي وَسِعَتْ كُلَّ شَيْءٍ، أَنْ تَغْفِرَ لِي.

49 - بَابٌ فِي الْأَكْلِ يَوْمَ الْفِطْرِ قَبْلَ أَنْ يَخْرُجَ

1754 - **حدّثنا** جُبَارَةُ بْنُ الْمُغَلِّسِ. حَدَّثَنَا هُشَيْمٌ، عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي بَكْرٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: كَانَ النَّبِيُّ ﷺ لَا يَخْرُجُ يَوْمَ الْفِطْرِ حَتَّى يَطْعَمَ تَمَرَاتٍ.

1755 - **حدّثنا** جُبَارَةُ بْنُ الْمُغَلِّسِ. حَدَّثَنَا مِنْدَلُ بْنُ عَلِيٍّ. حَدَّثَنَا عُمَرُ بْنُ صُهْبَانَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: كَانَ النَّبِيُّ ﷺ لَا يَغْدُو يَوْمَ الْفِطْرِ حَتَّى يُغَدِّيَ أَصْحَابَهُ مِنْ صَدَقَةِ الْفِطْرِ.

until he would feed his companions from (the food given in) charity of Al-Fitr.

1756- It is narrated on the authority of Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used not to come out on the day of Al-Fitr until he would eat; and he used not to eat on the day of An-Nahr (slaughtering sacrifice) until he would return (from the Id ceremonies).

[50] When One Dies With The Fasts Of Ramadan Due Upon Him

1757- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who dies with the fasts of a month (i.e. Ramadan) due upon him, let his heirs feed an indigent in place of every day."

[51] When One Dies With Fasts Because Of A Vow Due Upon Him

1758- It is narrated on the authority of Ibn Abbas that he said: A woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My sister died and she had fasts of two successive months due upon her (what should I do?)" he said: "Tell me: if your sister had a debt, would you not fulfill it?" she said: "Yes." On that he said: "Allah's Right has more claim (to be fulfilled)."

1759- It is narrated on the authority of Ibn Buraidah from his father that he said: A woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My mother died and she had fasts due upon her: should I observe them on her behalf?" he answered in the affirmative.

[52] When One Embraces Islam In The Month Of Ramadan

1760- It is narrated on the authority of Atiyyah Ibn Sufyan Ibn Abdullah Ibn Rabie'ah that he said: We were told by the (members of our) delegate which came to the Messenger of Allah" Allah's blessing and peace be upon him" to announce the news of the conversion of those of Thaqif into Islam, and they came to him in (the month of) Ramadan. He set up a tent for them in the mosque; and when they embraced Islam, they observed the remaining fasts due upon them of the month.

[53] When A Woman Fasts Without The Leave Of Her Husband

1761- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "A wife whose

1756 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا أَبُو عَاصِمٍ. حَدَّثَنَا ثَوَابُ بْنُ عُتْبَةَ الْمَهْرِيُّ، عَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ لاَ يَخْرُجُ يَوْمَ الْفِطْرِ حَتَّى يَأْكُلَ. وَكَانَ لاَ يَأْكُلُ يَوْمَ النَّحْرِ حَتَّى يَرْجِعَ.

50 ـ بابُ مَنْ مَاتَ وَعَلَيْهِ صِيَامُ رَمَضَانَ قَدْ فَرَّطَ فِيهِ

1757 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا قُتَيْبَةُ. حَدَّثَنَا عَبْثَرُ، عَنْ أَشْعَثَ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ مَاتَ وَعَلَيْهِ صِيَامُ شَهْرٍ، فَلْيُطْعَمْ عَنْهُ، مَكَانَ كُلِّ يَوْمٍ، مِسْكِينٌ**».

51 ـ بابُ مَنْ مَاتَ وعَلَيْهِ صِيَامٌ مِنْ نَذْرٍ

1758 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ الْبَطِينِ وَالْحَكَمِ وَسَلَمَةَ بْنِ كُهَيْلٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ وَعَطَاءٍ وَمُجَاهِدٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: جَاءَتِ امْرَأَةٌ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنَّ أُخْتِي مَاتَتْ وَعَلَيْهَا صِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ. قَالَ: «**أَرَأَيْتِ لَوْ كَانَ عَلَى أُخْتِكِ دَيْنٌ، أَكُنْتِ تَقْضِينَهُ؟**» قَالَتْ: بَلَىٰ. قَالَ: «**فَحَقُّ اللَّهِ أَحَقُّ**».

1759 ـ **حدّثنا** زُهَيْرُ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ الرَّزَّاقِ، عَنْ سُفْيَانَ، عَنْ عَبْدِ اللَّهِ بْنِ عَطَاءٍ، عَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ قَالَ: جَاءَتِ امْرَأَةٌ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنَّ أُمِّي مَاتَتْ وَعَلَيْهَا صَوْمٌ، أَفَأَصُومُ عَنْهَا؟ قَالَ: «**نَعَمْ**».

52 ـ بابٌ فِيمَنْ أَسْلَمَ فِي شَهْرِ رَمَضَانَ

1760 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا أَحْمَدُ بْنُ خَالِدٍ الْوَهْبِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ عِيسَى بْنِ عَبْدِ اللَّهِ بْنِ مَالِكٍ، عَنْ عَطِيَّةَ بْنِ سُفْيَانَ بْنِ عَبْدِ اللَّهِ بْنِ رَبِيعَةَ؛ قَالَ: حَدَّثَنَا وَفْدُنَا الَّذِينَ قَدِمُوا عَلَى رَسُولِ اللَّهِ ﷺ بِإِسْلاَمِ ثَقِيفٍ قَالَ، وَقَدِمُوا عَلَيْهِ فِي رَمَضَانَ، فَضَرَبَ عَلَيْهِمْ قُبَّةً فِي الْمَسْجِدِ. فَلَمَّا أَسْلَمُوا صَامُوا مَا بَقِيَ عَلَيْهِمْ مِنَ الشَّهْرِ.

53 ـ بابٌ فِي الْمَرْأَةِ تَصُومُ بِغَيْرِ إِذْنِ زَوْجِهَا

1761 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تَصُومُ الْمَرْأَةُ، وَزَوْجُهَا شَاهِدٌ،**

husband is present should not observe fast on any day other than (those of) Ramadan without his leave."

1762- It is narrated on the authority of Abu Sa'id that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade women to observe (voluntary) fasts without the permission of their husbands.

[54] When One Comes As A Guest In The Dwelling Places Of Some People, He Should Not Fast (Voluntarily) Without Their Leave

1763- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If a man comes as a guest in the dwelling places of some people, he should not observe (voluntary) fasts without their permission."

[55] The Thankful Eater Is Like The Patient Fasting

1764- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The thankful eater is, in position (of obedience to Allah), like the patient fasting person."

1765- It is narrated on the authority of Sinan Ibn Sannah Al-Aslami, one of the companions of the Prophet "Allah's blessing and peace be upon him" that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The one who eats and thanks (Allah for His Blessing) has the same reward of the one who fasts and patiently perseveres."

[56] What About The Night Of Qadr (Power)

1766- It is narrated on the authority of Abu Sa'id that he said: We practiced I'tikaf with the Messenger of Allah "Allah's blessing and peace be upon him" the middle ten of Ramadan, and he said: "I was seen the Night of Qadr, and I was made to forget it: so, look for it on the last ten (nights), particularly on the odd (ones)."

[57] The Excellence Of The Last Ten (Nights) Of The Month Of Ramadan

1767- It is narrated on the authority of A'ishah that she said: The Prophet "Allah's blessing and peace be upon him" used to strive (his utmost to do good deeds) in the last ten (nights of Ramadan) as he never did in other (nights).

1768- It is narrated on the authority of A'ishah that she said: When the last ten (nights of Ramadan) came, the Messenger of Allah "Allah's blessing and peace be upon him" would give life to the night (i.e. stand for supererogatory prayers on it), straighten the upper garment (i.e.

يَوْماً، مِنْ غَيْرِ شَهْرِ رَمَضَانَ، إِلاَّ بِإِذْنِهِ».

1762 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا يَحْيَىٰ بْنُ حَمَّادٍ. حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ سُلَيْمَانَ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي سَعِيدٍ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ النِّسَاءَ أَنْ يَصُمْنَ إِلاَّ بِإِذْنِ أَزْوَاجِهِنَّ.

54 ـ بابٌ فِيمَنْ نَزَلَ بِقَوْمٍ فَلا يَصُومُ إِلَّا بِإِذْنِهِمْ

1763 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ الأَزْدِيُّ. حَدَّثَنَا مُوسَىٰ بْنُ دَاوُدَ، وَخَالِدُ بْنُ أَبِي يَزِيدَ؛ قَالاَ: حَدَّثَنَا أَبُو بَكْرٍ الْمَدَنِيُّ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**إِذَا نَزَلَ الرَّجُلُ بِقَوْمٍ، فَلاَ يَصُومُ إِلاَّ بِإِذْنِهِمْ**».

55 ـ بابٌ فِيمَنْ قَالَ الطَّاعِمُ الشَّاكِرُ كَالصَّائِمِ الصَّابِرِ

1764 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا مُحَمَّدُ بْنُ مَعْنٍ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ الأُمَوِيِّ، عَنْ مَعْنِ بْنِ مُحَمَّدٍ، عَنْ حَنْظَلَةَ بْنِ عَلِيٍّ الأَسْلَمِيِّ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: «**الطَّاعِمُ الشَّاكِرُ بِمَنْزِلَةِ الصَّائِمِ الصَّابِرِ**».

1765 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ عَبْدِ اللَّهِ الرَّقِّيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ جَعْفَرٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ مُحَمَّدِ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي حُرَّةَ، عَنْ عَمِّهِ حَكِيمِ بْنِ أَبِي حُرَّةَ، عَنْ سِنَانِ بْنِ سَنَّةَ الأَسْلَمِيِّ، صَاحِبِ النَّبِيِّ ﷺ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الطَّاعِمُ الشَّاكِرُ، لَهُ مِثْلُ أَجْرِ الصَّائِمِ الصَّابِرِ**».

56 ـ بابٌ فِي لَيْلَةِ الْقَدْرِ

1766 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنْ هِشَامٍ الدَّسْتَوَائِيِّ، عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: اعْتَكَفْنَا مَعَ رَسُولِ اللَّهِ ﷺ الْعَشْرَ الأَوْسَطَ مِنْ رَمَضَانَ. فَقَالَ: «**إِنِّي أُرِيتُ لَيْلَةَ الْقَدْرِ فَأُنْسِيتُهَا. فَالْتَمِسُوهَا فِي الْعَشْرِ الأَوَاخِرِ فِي الْوَتْرِ**».

57 ـ بابٌ فِي فَضْلِ الْعَشْرِ الأَوَاخِرِ مِنْ شَهْرِ رَمَضَانَ

1767 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ، وَأَبُو إِسْحَاقَ الْهَرَوِيُّ، إِبْرَاهِيمُ بْنُ عَبْدِ اللَّهِ بْنِ حَاتِمٍ. قَالاَ: حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ. حَدَّثَنَا الْحَسَنُ بْنُ عُبَيْدِ اللَّهِ، عَنْ إِبْرَاهِيمَ النَّخَعِيِّ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ النَّبِيُّ ﷺ يَجْتَهِدُ فِي الْعَشْرِ الأَوَاخِرِ مَا لاَ يَجْتَهِدُ فِي غَيْرِهِ.

1768 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ الزُّهْرِيُّ. حَدَّثَنَا سُفْيَانُ، عَنِ ابْنِ عُبَيْدِ بْنِ نِسْطَاسٍ، عَنْ أَبِي الضُّحَى، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ النَّبِيُّ ﷺ، إِذَا دَخَلَتِ الْعَشْرُ، أَحْيَا اللَّيْلَ، وَشَدَّ الْمِئْزَرَ، وَأَيْقَظَ أَهْلَهُ.

become earnest in service, and keep away from women), and awaken his family (to stand for prayer at the night).

[58] What About I'tikaf

(Sitting in the mosque in seclusion only for religious service)

1769- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to practice I'tikaf for ten days every year, and when it was the year in which he died, he practiced I'tikaf for twenty days; and the Qur'an used to be displayed to him (by Gabriel) once every year, and when it was the year in which he died, it was displayed to him twice.

1770- It is narrated on the authority of Ubai Ibn Ka'b that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to practice I'tikaf for the last ten (days of Ramadan) every year; and he set out on journey one year, (i.e. the year of the conquest of Mecca, and thus he failed to practice I'tikaf in the same period); and when it was the coming year, he practiced I'tikaf for twenty days (including ten in lieu for those missed).

[59] When Does One Start I'tikaf

1771- It is narrated on the authority of A'ishah that she said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" wanted to practice I'tikaf, he would offer the Morning Prayer, and then he would enter the place of his I'tikaf. He intended to practice I'tikaf for the last ten (days) of Ramadan, and ordered that a tent should be pitched for him, and A'ishah ordered that a tent should be pitched for her, and also Hafsah ordered that a tent should be pitched for her, and when Zainab heard of their tents, she ordered that a tent should be pitched for her. When the Messenger of Allah saw that, he said: "Is it righteousness that you really intend?" He did not practice I'tikaf in Ramadan, and practiced it for ten (days) of Shawwal.

[60] Practicing I'tikaf For A Day Or A Night

1772- It is narrated on the authority of Ibn Umar that Umar had vowed to practice I'tikaf for a night during the pre-Islamic period of ignorance, and he asked the Messenger of Allah "Allah's blessing and peace be upon him" about that, and he ordered him to do it.

[61] Such As In The State Of I'tikaf Sticks To A Certain Place In The Mosque

1773- It is narrated on the authority of Nafi from Abdullah Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him"

58 ـ بابُ ما جَاءَ في الاعْتِكَافِ

1769 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ أَبِي حُصَيْنٍ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: كَانَ النَّبِيُّ ﷺ يَعْتَكِفُ كُلَّ عَامٍ عَشْرَةَ أَيَّامٍ. فَلَمَّا كَانَ الْعَامُ الَّذِي قُبِضَ فِيهِ، اعْتَكَفَ عِشْرِينَ يَوْماً. وَكَانَ يُعْرَضُ عَلَيْهِ الْقُرْآنُ فِي كُلِّ عَامٍ مَرَّةً. فَلَمَّا كَانَ الْعَامُ الَّذِي قُبِضَ فِيهِ عُرِضَ عَلَيْهِ مَرَّتَيْنِ.

1770 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ ثَابِتٍ، عَنْ أَبِي رَافِعٍ، عَنْ أُبَيِّ بْنِ كَعْبٍ؛ أَنَّ النَّبِيَّ ﷺ كَانَ يَعْتَكِفُ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ فَسَافَرَ عَاماً. فَلَمَّا كَانَ مِنَ الْعَامِ الْمُقْبِلِ، اعْتَكَفَ عِشْرِينَ يَوْماً.

59 ـ بابُ ما جَاءَ فيمَنْ يَبْتَدِىءُ الاعْتِكَافَ، وقَضَاءِ الاعْتِكَافِ

1771 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَعْلَى بْنُ عُبَيْدٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ النَّبِيُّ ﷺ إِذَا أَرَادَ أَنْ يَعْتَكِفَ صَلَّى الصُّبْحَ، ثُمَّ دَخَلَ الْمَكَانَ الَّذِي يُرِيدُ أَنْ يَعْتَكِفَ فِيهِ. فَأَرَادَ أَنْ يَعْتَكِفَ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ. فَأَمَرَ، فَضُرِبَ لَهُ خِبَاءٌ. فَأَمَرَتْ عَائِشَةُ بِخِبَاءٍ فَضُرِبَ لَهَا. فَلَمَّا رَأَى ذٰلِكَ رَسُولُ اللَّهِ ﷺ قَالَ: «آلْبِرَّ تُرِدْنَ؟» فَلَمْ يَعْتَكِفْ فِي رَمَضَانَ، وَاعْتَكَفَ عَشْراً مِنْ شَوَّالٍ.

60 ـ بابٌ في اعْتِكَافِ يَوْمٍ أَوْ لَيْلَةٍ

1772 ـ **حدّثنا** إِسْحَاقُ بْنُ مُوسَى الْخَطْمِيُّ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنْ عُمَرَ؛ أَنَّهُ كَانَ عَلَيْهِ نَذْرُ لَيْلَةٍ فِي الْجَاهِلِيَّةِ يَعْتَكِفُهَا. فَسَأَلَ النَّبِيَّ ﷺ. فَأَمَرَهُ أَنْ يَعْتَكِفَ.

61 ـ بابٌ في الْمُعْتَكِفِ يَلْزَمُ مَكَاناً مِنَ الْمَسْجِدِ

1773 ـ **حدّثنا** أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَنْبَأَنَا يُونُسُ أَنَّ نَافِعاً حَدَّثَهُ عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَعْتَكِفُ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ.

used to practice I'tikaf for the last ten (days) of Ramadan. Nafi said: Ibn Umar showed me the place where the Messenger of Allah "Allah's blessing and peace be upon him" used to practice I'tikaf.

1774- It is narrated on the authority of Ibn Umar that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" practiced I'tikaf, his couch would be placed, or his bed would be put behind the pillar of Repentance (to which one of the companions of the Messenger of Allah "Allah's blessing and peace be upon him", i.e. Abu Lubabah, fastened himself when he did a mistake, until Allah turned to him in repentance).

[62] Practicing I'tikaf In A Tent In The Mosque

1775- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" stayed the period of I'tikaf in a Turkish tent, on the front opening of which (he placed) a piece of mat (so that none could peep into him). Then, he took hold of the mat with his hand, and moved it away to the side of the tent, and then brought out his head (from the opening of the tent) and talked to the people.

[63] The One In The State Of I'tikaf Could Visit The Patient And Attend The Funeral Procession

1776- It is narrated on the authority of A'ishah that she said: (While being in the state of I'tikaf) I would enter the house in order to answer the call of nature, and even though a patient might be therein, I would not enquire about health except as coming upon him (with no particular stop for that). She further said: Whenever they were in the state of I'tikaf, the Messenger of Allah "Allah's blessing and peace be upon him" did not enter the house but to answer the call of nature.

1777- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The one in the state of I'tikaf could follow the funeral procession and visit the patient to enquire about his health."

[64] The One In The State Of I'tikaf Could Wash His Head And Comb His Hair

1778- It is narrated on the authority of A'ishah that she said: While the Messenger of Allah "Allah's blessing and peace be upon him" was staying in the mosque in seclusion, he would draw his head closer to me,

قَالَ نَافِعٌ: وَقَدْ أَرَانِي عَبْدُ اللَّهِ بْنُ عُمَرَ الْمَكَانَ الَّذِي يَعْتَكِفُ فِيهِ رَسُولُ اللَّهِ ﷺ.

1774 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا نُعَيْمُ بْنُ حَمَّادٍ. حَدَّثَنَا ابْنُ الْمُبَارَكِ، عَنْ عِيسَىٰ بْنِ عُمَرَ بْنِ مُوسَىٰ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ أَنَّهُ كَانَ إِذَا اعْتَكَفَ، طُرِحَ لَهُ فِرَاشُهُ أَوْ يُوضَعُ لَهُ سَرِيرُهُ وَرَاءَ أُسْطُوَانَةِ التَّوْبَةِ.

62 ـ بَابُ الاعْتِكَافِ فِي خَيْمَةِ الْمَسْجِدِ

1775 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الأَعْلَىٰ الصَّنْعَانِيُّ. حَدَّثَنَا الْمُعْتَمِرُ بْنُ سُلَيْمَانَ. حَدَّثَنِي عُمَارَةُ بْنُ غَزِيَّةَ؛ قَالَ: سَمِعْتُ مُحَمَّدَ بْنَ إِبْرَاهِيمَ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ أَنَّ رَسُولَ اللَّهِ ﷺ اعْتَكَفَ فِي قُبَّةٍ تُرْكِيَّةٍ. عَلَى سُدَّتِهَا قِطْعَةُ حَصِيرٍ. قَالَ، فَأَخَذَ الْحَصِيرَ بِيَدِهِ فَنَحَّاهَا فِي نَاحِيَةِ الْقُبَّةِ. ثُمَّ أَطْلَعَ رَأْسَهُ فَكَلَّمَ النَّاسَ.

63 ـ بَابٌ فِي الْمُعْتَكِفِ يَعُودُ الْمَرِيضَ وَيَشْهَدُ الْجَنَائِزَ

1776 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ ابْنِ الزُّبَيْرِ، وَعَمْرَةَ بِنْتِ عَبْدِ الرَّحْمٰنِ؛ أَنَّ عَائِشَةَ قَالَتْ: إِنْ كُنْتُ لأَدْخُلُ الْبَيْتَ لِلْحَاجَةِ، وَالْمَرِيضُ فِيهِ، فَمَا أَسْأَلُ عَنْهُ إِلاَّ وَأَنَا مَارَّةٌ. قَالَتْ: وَكَانَ رَسُولُ اللَّهِ ﷺ لاَ يَدْخُلُ الْبَيْتَ إِلاَّ لِحَاجَةٍ، إِذَا كَانُوا مُعْتَكِفِينَ.

1777 ـ **حدّثنا** أَحْمَدُ بْنُ مَنْصُورٍ، أَبُو بَكْرٍ. حَدَّثَنَا يُونُسُ بْنُ مُحَمَّدٍ. حَدَّثَنَا الْهَيَّاجُ الْخُرَاسَانِيُّ. حَدَّثَنَا عَنْبَسَةُ بْنُ عَبْدِ الرَّحْمٰنِ، عَنْ عَبْدِ الْخَالِقِ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْمُعْتَكِفُ يَتْبَعُ الْجِنَازَةَ، وَيَعُودُ الْمَرِيضَ**».

64 ـ بَابُ مَا جَاءَ فِي الْمُعْتَكِفِ يَغْسِلُ رَأْسَهُ وَيُرَجِّلُهُ

1778 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يُدْنِي إِلَيَّ رَأْسَهُ وَهُوَ مُجَاوِرٌ، فَأَغْسِلُهُ وَأُرَجِّلُهُ. وَأَنَا فِي حُجْرَتِي. وَأَنَا حَائِضٌ. وَهُوَ فِي الْمَسْجِدِ.

while being in my chamber, getting my menses, so that I would wash it for him, and comb his hair.

[65] When One In The State Of I'tikaf Has His Wife Visit Him In The Mosque

1779- It is narrated on the authority of Ali Ibn Al-Husain: Safiyyah, daughter of Huyai, , the wife of The Prophet "Allah's blessing and peace be upon him" told him that she had gone to Allah's Apostle "Allah's blessing and peace be upon him" to visit him in the mosque while he was in I'tikaf in the last ten days of Ramadan. She had a talk with him for a while, and then she got up in order to return home. The Prophet "Allah's blessing and peace be upon him" accompanied her. When they reached the gate of the mosque, opposite to the door of Umm Salamah, two Ansari men were passing by and they greeted Allah's Apostle "Allah's blessing and peace be upon him". He told them: "Do not run away! She is (my wife) Safiyyah Bint Huyai." Both of them said: "Glory be to Allah! How dare we think of any evil O Allah's Apostle!" They felt it. The Prophet "Allah's blessing and peace be upon him" said (to them): "Satan reaches everywhere in the human body as blood reaches everywhere in one's body. I was afraid that Satan might put an evil thought in your minds."

[66] The Woman Suffering From Persistent Bleeding From The Uterus Practices I'tikaf

1780- It is narrated on the authority of A'ishah that she said: One of the wives of the Prophet "Allah's blessing and peace be upon him" practiced I'tikaf with him (in the mosque), and on detecting the redness (of the blood) and yellowish discharge (so much that) she put a vessel underneath her.

[67] The Reward Of Practicing I'tikaf

1781- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said pertaining to the one in the state of I'tikaf: "He holds back sins, and receives good deeds (he would have done had he been outside I'tikaf) just like the one who really does them."

[68] When One Stands (For Supererogatory Night Prayer) On The Nights Of Both Ids

1782- It is narrated on the authority of Abu Umamah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever stands (for supererogatory prayers) on the nights of both Ids, expecting the reward for that from Allah, his heart would not die when the hearts die (because of the numerous sins)."

65 ـ بابٌ في المُعْتَكِفِ يَزُورُهُ أَهْلُهُ في المَسْجِدِ

1779 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا عُمَرُ بْنُ عُثْمَانَ بْنِ عُمَرَ بْنِ مُوسَى بْنِ عُبَيْدِ اللَّهِ بْنِ مَعْمَرٍ، عَنْ أَبِيهِ، عَنِ ابْنِ شِهَابٍ. أَخْبَرَنِي عَلِيُّ بْنُ الْحُسَيْنِ، عَنْ صَفِيَّةَ بِنْتِ حُيَيٍّ، زَوْجِ النَّبِيِّ ﷺ، أَنَّهَا جَاءَتْ إِلَى رَسُولِ اللَّهِ ﷺ تَزُورُهُ. وَهُوَ مُعْتَكِفٌ فِي الْمَسْجِدِ فِي الْعَشْرِ الأَوَاخِرِ مِنْ شَهْرِ رَمَضَانَ. فَتَحَدَّثَتْ عِنْدَهُ سَاعَةً مِنَ الْعِشَاءِ. ثُمَّ قَامَتْ تَنْقَلِبُ. فَقَامَ مَعَهَا رَسُولُ اللَّهِ ﷺ يَقْلِبُهَا. حَتَّى إِذَا بَلَغَتْ بَابَ الْمَسْجِدِ الَّذِي كَانَ عِنْدَ مَسْكَنِ أُمِّ سَلَمَةَ، زَوْجِ النَّبِيِّ ﷺ، فَمَرَّ بِهِمَا رَجُلاَنِ مِنَ الأَنْصَارِ. فَسَلَّمَا عَلَى رَسُولِ اللَّهِ ﷺ. ثُمَّ نَفَذَا. فَقَالَ لَهُمَا رَسُولُ اللَّهِ ﷺ: «**عَلَى رِسْلِكُمَا. إِنَّهَا صَفِيَّةُ بِنْتُ حُيَيٍّ**» قَالاَ: سُبْحَانَ اللَّهِ. يَا رَسُولَ اللَّهِ وَكَبُرَ عَلَيْهِمَا ذٰلِكَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ الشَّيْطَانَ يَجْرِي مِنِ ابْنِ آدَمَ مَجْرَى الدَّمِ. وَإِنِّي خَشِيتُ أَنْ يَقْذِفَ فِي قُلُوبِكُمَا شَيْئاً**».

66 ـ بابُ المُسْتَحَاضَةِ تَعْتَكِفُ

1780 ـ **حدّثنا** الْحَسَنُ بْنُ مُحَمَّدٍ الصَّبَّاحُ. حَدَّثَنَا عَفَّانُ. حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، عَنْ خَالِدٍ الْحَذَّاءِ، عَنْ عِكْرِمَةَ؛ قَالَ: قَالَتْ عَائِشَةُ: اعْتَكَفَتْ مَعَ رَسُولِ اللَّهِ ﷺ امْرَأَةٌ مِنْ نِسَائِهِ. فَكَانَتْ تَرَى الْحُمْرَةَ وَالصُّفْرَةَ. فَرُبَّمَا وَضَعَتْ تَحْتَهَا الطَّسْتَ.

67 ـ بابٌ في ثَوَابِ الاعْتِكَافِ

1781 ـ **حدّثنا** عُبَيْدُ اللَّهِ بْنُ عَبْدِ الْكَرِيمِ. حَدَّثَنَا مُحَمَّدُ بْنُ أُمَيَّةَ. حَدَّثَنَا عِيسَى بْنُ مُوسَى الْبُخَارِيُّ، عَنْ عُبَيْدَةَ الْعَمِّيِّ، عَنْ فَرْقَدٍ السَّبَخِيِّ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ فِي الْمُعْتَكِفِ: «**هُوَ يَعْكِفُ الذُّنُوبَ، وَيُجْرَى لَهُ مِنَ الْحَسَنَاتِ كَعَامِلِ الْحَسَنَاتِ كُلِّهَا**».

68 ـ بابٌ فيمَنْ قَامَ في لَيْلَتَيِ العِيدَيْنِ

1782 ـ **حدّثنا** أَبُو أَحْمَدَ الْمَرَّارُ بْنُ حَمُّوَيَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ الْمُصَفَّى. حَدَّثَنَا بَقِيَّةُ بْنُ الْوَلِيدِ، عَنْ ثَوْرِ بْنِ يَزِيدَ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنْ أَبِي أُمَامَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ قَامَ لَيْلَتَيِ الْعِيدَيْنِ، مُحْتَسِباً لِلَّهِ، لَمْ يَمُتْ قَلْبُهُ يَوْمَ تَمُوتُ الْقُلُوبُ**».

(8) THE BOOK OF OBLIGATORY CHARITY

[1] The Enjoinment Of Obligatory Charity

1783- It is narrated on the authority of Ibn Abbas: The Prophet "Allah's blessing and peace be upon him" said to Mu'adh Ibn Jabal when he sent him to Yemen: "You will go to a people of the Scripture. So, when you reach there, invite them to testify that there is no God but Allah, and that Mohammad is His Apostle. If they obey you in that, tell them that Allah has enjoined on them five prayers in each day and night. If they obey you in that, tell them that Allah has enjoined upon them to pay alms, which will be taken from the rich among them, and given to the poor among them. If they obey you in that, then avoid taking the best of their possessions, and be afraid of the curse of an oppressed person because there is no screen between his invocation and Allah."

[2] What About Withholding Obligatory Charity

1784- It is narrated on the authority of Abdullah Ibn Mas'ud that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no one who does not fulfill whatever obligatory charity is due upon his property but that it will appear to him on the Day of Judgement in the form of a bald-headed snake, (and he will keep fleeing from it) until it will encircle his neck (like a collar)." Then, the Messenger of Allah "Allah's blessing and peace be upon him" recited to us the confirmation of that from Allah's Book: "And let not those who covetously withhold of the gifts which Allah has given them of His Grace, think that it is good for them: nay, it will be the worse for them; soon shall the things which they covetously withheld be tied to their necks like a twisted collar, on the Day of Judgment. To Allah belongs the heritage of the heavens and the earth; and Allah is well-acquainted with all that you do." (Al Imran 180)

1785- It is narrated on the authority of Abu Dharr that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no owner of camels, sheep or cows who does not fulfill whatever obligatory charity is due upon them but that on the Day of Judgement, they will come, while being the greatest and the fattest, so that they would gore him with their horns, and trample him with their hoofs; and the more the last of them will come upon him, the more the first of them will return (to trample) him once again (and they will remain so) until all the people will be judged."

1786- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "(On the Day of

8 ـ كِتَابُ الزَّكَاةِ

1 ـ بابُ فَرْضِ الزَّكَاةِ

1783 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعُ بْنُ الْجَرَّاحِ. حَدَّثَنَا زَكَرِيَّا بْنُ إِسْحَاقَ الْمَكِّيُّ، عَنْ يَحْيَى بْنِ عَبْدِ اللَّهِ بْنِ صَيْفِيٍّ، عَنْ أَبِي مَعْبَدٍ، مَوْلَى ابْنِ عَبَّاسٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ بَعَثَ مُعَاذاً إِلَى الْيَمَنِ، فَقَالَ: «**إِنَّكَ تَأْتِي قَوْماً أَهْلَ كِتَابٍ. فَادْعُهُمْ إِلَى شَهَادَةِ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَأَنِّي رَسُولُ اللَّهِ. فَإِنْ هُمْ أَطَاعُوا لِذَلِكَ فَأَعْلِمْهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ خَمْسَ صَلَوَاتٍ فِي كُلِّ يَوْمٍ وَلَيْلَةٍ. فَإِنْ هُمْ أَطَاعُوا لِذَلِكَ فَأَعْلِمْهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ، تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ فَتُرَدُّ فِي فُقَرَائِهِمْ. فَإِنْ هُمْ أَطَاعُوا لِذَلِكَ فَإِيَّاكَ وَكَرَائِمَ أَمْوَالِهِمْ. وَاتَّقِ دَعْوَةَ الْمَظْلُومِ، فَإِنَّهَا لَيْسَ بَيْنَهَا وَبَيْنَ اللَّهِ حِجَابٌ**».

2 ـ بابُ ما جَاءَ فِي مَنْعِ الزَّكَاةِ

1784 ـ **حدّثنا** مُحَمَّدُ بْنُ أَبِي عُمَرَ الْعَدَنِيُّ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ الْمَلِكِ بْنِ أَعْيَنَ، وَجَامِعِ بْنِ أَبِي رَاشِدٍ، سَمِعَا شَقِيقَ بْنَ سَلَمَةَ يُخْبِرُ عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «**مَا مِنْ أَحَدٍ لاَ يُؤَدِّي زَكَاةَ مَالِهِ إِلاَّ مُثِّلَ لَهُ يَوْمَ الْقِيَامَةِ شُجَاعاً أَقْرَعَ حَتَّى يُطَوَّقَ عُنُقَهُ**». ثُمَّ قَرَأَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ مِصْدَاقَهُ مِنْ كِتَابِ اللَّهِ تَعَالَى: ﴿وَلَا يَحْسَبَنَّ ٱلَّذِينَ يَبْخَلُونَ بِمَآ ءَاتَىٰهُمُ ٱللَّهُ مِن فَضْلِهِۦ﴾ [آل عمران: 180] الآيَةَ.

1785 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنِ الأَعْمَشِ، عَنِ الْمَعْرُورِ بْنِ سُوَيْدٍ، عَنْ أَبِي ذَرٍّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَا مِنْ صَاحِبِ إِبِلٍ وَلاَ غَنَمٍ وَلاَ بَقَرٍ لاَ يُؤَدِّي زَكَاتَهَا، إِلاَّ جَاءَتْ يَوْمَ الْقِيَامَةِ أَعْظَمَ مَا كَانَتْ وَأَسْمَنَهُ، تَنْطِحُهُ بِقُرُونِهَا. وَتَطَؤُهُ بِأَخْفَافِهَا. كُلَّمَا نَفَدَتْ أُخْرَاهَا عَادَتْ عَلَيْهِ أُولاَهَا. حَتَّى يُقْضَى بَيْنَ النَّاسِ**».

1786 ـ **حدّثنا** أَبُو مَرْوَانَ، مُحَمَّدُ بْنُ عُثْمَانَ الْعُثْمَانِيُّ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ

Judgement) the camels from which the right (of obligatory charity) was not given (by their owner) will come to trample their owner with their hoofs; and the cows and sheep (whose owner did not pay what is due upon them) will come to trample their owner with their hooves and gore him with their horns; and the heaped-up treasure also will come in a form of a bald-headed snake to meet its owner on the Day of Judgement, and its owner will flee from it twice, after which it will face him, and he will flee from it once again; asking: "What do you have to do with me?" it will say: "I'm your treasure! I'm your treasure!" when he will (try to) avert it with his hand, it will bite it."

[3] That Whose Obligatory Charity Is Paid Is Not Regarded As Heaped-Up Treasure

1787- It is narrated on the authority of Khalid Ibn Aslam, the freed slave of Umar Ibn Al-Khattab that he said: I came out with Abdullah Ibn Umar and a desert dweller caught up with him and said: (Tell me of the significance of) the statement of Allah Almighty: "And there are those who bury gold and silver and spend it not in the Way of Allah" (At-Tawbah 34)on that Ibn Umar said: "Woe to such as buries them, and does not fulfill whatever obligatory charity is due upon them (from the Fire of Hell)! This (commandment) was applicable before the obligatory charity was enjoined by Allah Almighty; and when it was enjoined, Allah Almighty made it a (means of) purifying property." Then, he turned to him and said: "I do not care to have as much gold as (the mountain of) Uhud, provided that I know well its estimate, pay whatever obligatory charity is due upon it, and act in it according to (the obligations of my) obedience to Allah."

1788- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If you give the obligatory charity of your property, (including the charity of Al-Fitr, and the other sides of spending on your dependents), you will have fulfilled all (rights and obligations pertaining to property) due upon you."

1789- It is narrated on the authority of Fatimah Bint Qais that she heard him, i.e. the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Nothing is due upon one's property other than the obligatory charity."

Comment: (One should not understand from this narration that there is no right in the property other than the obligatory charity: that's because the rights pertaining to property are more than that. But, the only one from

أَبِي حَازِمٍ، عَنِ الْعَلاَءِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**تَأْتِي الإِبِلُ الَّتِي لَمْ تُعْطِ الْحَقَّ مِنْهَا، تَطَأُ صَاحِبَهَا بِأَخْفَافِهَا. وَتَأْتِي الْبَقَرُ وَالْغَنَمُ تَطَأُ صَاحِبَهَا بِأَظْلاَفِهَا، وَتَنطِحُهُ بِقُرُونِهَا. وَيَأْتِي الْكَنْزُ شُجَاعاً أَقْرَعَ فَيَلْقَى صَاحِبَهُ يَوْمَ الْقِيَامَةِ. فَيَفِرُّ مِنْهُ صَاحِبُهُ مَرَّتَيْنِ. ثُمَّ يَسْتَقْبِلُهُ فَيَفِرُّ. فَيَقُولُ: مَا لِي وَلَكَ! فَيَقُولُ: أَنَا كَنْزُكَ، أَنَا كَنْزُكَ. فَيَتَّقِيهِ بِيَدِهِ فَيَلْقَمُهَا**».

3 ـ باب ما أُدِّيَ زَكَاتُهُ لَيْسَ بِكَنْزٍ

1787 ـ **حدّثنا** عَمْرُو بْنُ سَوَّادٍ الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ، عَنِ ابْنِ لَهِيعَةَ، عَنْ عَقِيلٍ، عَنِ ابْنِ شِهَابٍ. حَدَّثَنِي خَالِدُ بْنُ أَسْلَمَ، مَوْلَى عُمَرَ بْنِ الْخَطَّابِ؛ قَالَ: خَرَجْتُ مَعَ عَبْدِ اللَّهِ بْنِ عُمَرَ، فَلَحِقَهُ أَعْرَابِيٌّ. فَقَالَ لَهُ: قَوْلُ اللَّهِ: ﴿وَٱلَّذِينَ يَكْنِزُونَ ٱلذَّهَبَ وَٱلْفِضَّةَ وَلَا يُنفِقُونَهَا فِى سَبِيلِ ٱللَّهِ﴾؟ [التوبة: 34] قَالَ لَهُ ابْنُ عُمَرَ: مَنْ كَنَزَهَا فَلَمْ يُؤَدِّ زَكَاتَهَا، فَوَيْلٌ لَهُ. إِنَّمَا كَانَ هٰذَا قَبْلَ أَنْ تُنْزَلَ الزَّكَاةُ. فَلَمَّا أُنْزِلَتْ جَعَلَهَا اللَّهُ طَهُوراً لِلأَمْوَالِ. ثُمَّ الْتَفَتَ فَقَالَ: مَا أُبَالِي لَوْ كَانَ لِي أُحُدٌ ذَهَباً، أَعْلَمُ عَدَدَه وَأُزَكِّيهِ، وَأَعْمَلُ فِيهِ بِطَاعَةِ اللَّهِ عَزَّ وَجَلَّ.

1788 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَحْمَدُ بْنُ عَبْدِ الْمَلِكِ. حَدَّثَنَا مُوسَى بْنُ أَعْيَنَ. حَدَّثَنَا عَمْرُو بْنُ الْحٰرِثِ، عَنْ دَرَّاجٍ أَبِي السَّمْحِ، عَنِ ابْنِ حُجَيْرَةَ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِذَا أَدَّيْتَ زَكَاةَ مَالِكَ، فَقَدْ قَضَيْتَ مَا عَلَيْكَ**».

1789 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا يَحْيَى بْنُ آدَمَ، عَنْ شَرِيكٍ، عَنْ أَبِي حَمْزَةَ، عَنِ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ أَنَّهَا سَمِعَتْهُ، تَعْنِي النَّبِيَّ ﷺ، يَقُولُ: «**لَيْسَ فِي الْمَالِ حَقٌّ سِوَى الزَّكَاةِ**».

amongst them, that is binding is the obligatory charity; and whatever is beyond that is voluntary)

[4] The Obligatory Charity Due Upon Both Silver And Gold

1790- It is narrated on the authority of Ali: Allah's Messenger "Allah's blessing and peace be upon him" said: "I've exempted you from the alms concerning both horses and slaves; but you should give (to the charity collector) one-fortieth the Dirhams, i.e. a single Dirham out of forty."

1791- It is narrated on the authority of both Ibn Umar and A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" used to (regard the minimum limit at which the obligatory charity should be given as) twenty Dinars and more, from which half a Dinar should be taken; and a single Dinar from forty.

[5] When One Gets Property

1792- It is narrated on the authority of A'ishah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "There is no obligatory charity due upon property unless a whole year comes upon it."

[6] What Property Upon Which Obligatory Charity Is Due

1793- It is narrated on the authority of Abu Sa'id Al-Khudri that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "There is no obligatory charity due upon (a property that is) less than five Wasaqs of dates, nor is there due upon what is less than five ounces (equal to two hundred Dirhams), nor is there due upon what is less than five camels."

1794- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no obligatory charity due upon (a property that is) less than five camels, nor is there obligatory charity due upon what is less than five ounces, nor is there obligatory charity due upon what is less than five Wasaqs (of crops)."

[7] Giving The Obligatory Charity In Advance Before Its Due Time

1795- It is narrated on the authority of Ali that Al-Abbas asked the Messenger of Allah "Allah's blessing and peace be upon him" to let him give his obligatory charity in advance, before its time became due; and he gave him concession to do so.

4 ـ بابُ زَكَاةِ الوَرِقِ والذَّهَبِ

1790 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنِ الْحَرِثِ، عَنْ عَلِيٍّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنِّي قَدْ عَفَوْتُ لَكُمْ عَنْ صَدَقَةِ الْخَيْلِ وَالرَّقِيقِ وَلٰكِنْ هَاتُوا رُبْعَ الْعُشْرِ مِنْ كُلِّ أَرْبَعِينَ دِرْهَماً، دِرْهَماً»**.

1791 ـ **حدّثنا** بَكْرُ بْنُ خَلَفٍ وَمُحَمَّدُ بْنُ يَحْيَىٰ. قَالاَ: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَىٰ. أَنْبَأَنَا إِبْرَاهِيمُ بْنُ إِسْمَاعِيلَ، عَنْ عَبْدِ اللَّهِ بْنِ وَاقِدٍ، عَنِ ابْنِ عُمَرَ وَعَائِشَةَ؛ أَنَّ النَّبِيَّ ﷺ كَانَ يَأْخُذُ مِنْ كُلِّ عِشْرِينَ دِينَاراً، فَصَاعِداً، نِصْفَ دِينَارٍ. وَمِنَ الأَرْبَعِينَ دِينَاراً، دِينَاراً.

5 ـ بابُ مَنِ اسْتَفَادَ مَالاً

1792 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا شُجَاعُ بْنُ الْوَلِيدِ. حَدَّثَنَا حَارِثَةُ بْنُ مُحَمَّدٍ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«لاَ زَكَاةَ فِي مَالٍ، حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ»**.

6 ـ بابُ ما تَجِبُ فيه الزَّكَاةُ مِنَ الأَمْوَالِ

1793 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ. حَدَّثَنِي الْوَلِيدُ بْنُ كَثِيرٍ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي صَعْصَعَةَ، عَنْ يَحْيَىٰ بْنِ عُمَارَةَ، وَعَبَّادِ بْنِ تَمِيمٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ أَنَّهُ سَمِعَ النَّبِيَّ ﷺ يَقُولُ: **«لاَ صَدَقَةَ فِيمَا دُونَ خَمْسَةِ أَوْسَاقٍ مِنَ التَّمْرِ. وَلاَ فِيمَا دُونَ خَمْسِ أَوَاقٍ. وَلاَ فِيمَا دُونَ خَمْسٍ مِنَ الإِبِلِ»**.

1794 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيْسَ فِيمَا دُونَ خَمْسِ ذَوْدٍ صَدَقَةٌ. وَلَيْسَ فِيمَا دُونَ خَمْسِ أَوَاقٍ صَدَقَةٌ. وَلَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسَاقٍ صَدَقَةٌ»**.

7 ـ بابُ تَعْجِيلِ الزَّكَاةِ قَبْلَ مَحِلِّها

1795 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ زَكَرِيَّا، عَنْ حَجَّاجِ بْنِ دِينَارٍ، عَنِ الْحَكَمِ، عَنْ حُجَيَّةَ بْنِ عَدِيٍّ، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ؛ أَنَّ الْعَبَّاسَ سَأَلَ النَّبِيَّ ﷺ فِي تَعْجِيلِ صَدَقَتِهِ قَبْلَ أَنْ تَحِلَّ. فَرَخَّصَ لَهُ فِي ذٰلِكَ.

[8] What Is Said On Giving The Obligatory Charity Out Of The Property

1796- It is narrated on the authority of Abdullah Ibn Abu Awfa that he said: Whenever anyone brought the obligatory charity due upon his property to the Messenger of Allah "Allah's blessing and peace be upon him", he would ask for (Allah's) Blessing upon him; and when I brought to him the obligatory charity due upon my property, he said: "O Allah! Send Your Blessing upon the family of Abu Awfa!"

1797- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When you give whatever obligatory charity is due upon your property, do not forget to ask (Allah to give you) its reward, i.e. to say: "O Allah! Make it a (source of) profit, and do not make it a (cause of) loss!""

[9] The Almsgiving That Is Due Upon (The Property Of) Camels

1798- It is narrated on the authority of Ibn Shihab from Salim from his father (Ibn Umar) from the Messenger of Allah "Allah's blessing and peace be upon him"; and he (Ibn Shihab) said: Salim made me read a document pertaining to the obligatory charity, written by (the command of) the Messenger of Allah "Allah's blessing and peace be upon him" before he died, in which I read: "Out of (a property consisting of) five camels, a female-goat (should be given as obligatory charity), two female-goats out of ten camels, three female-goats out of fifteen camels, four female-goats out of twenty camels, and a one-year old she-camel out of twenty-five to thirty-five camels, and in case there is no one-year old she-camel, a two-year old male-camel might be given; and if it is even one over thirty-five to forty-five (camels), a two-year old she-camel should be given; and if it is even one over forty-five to sixty (camels), a three-year old she-camel should be given; and if it is even one over sixty to seventy-five (camels), a four-year old she-camel should be given; and if it is even one over seventy-five to ninety (camels), a double two-year old she-camels should be given; and if it is even one over ninety to one hundred and twenty, a double three-year old she-camels should be given; and if it is more than that, then, for every fifty (camels) a three-year old she-camel should be given, and for every forty (camels) a two-year old she-camel should be given."

1799- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no (obligatory charity) due upon (a property of) less than five camels, i.e. if it is four (camels) nothing is due upon them; but if it amounts five to nine, a female-goat is due; and if it is ten to fourteen (camels), two

8 ـ بابٌ ما يُقَالُ عِنْدَ إخْرَاجِ الزَّكَاةِ

1796 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ عَمْرِو بْنِ مُرَّةَ. قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ أَبِي أَوْفَى يَقُولُ: كَانَ رَسُولُ اللَّهِ ﷺ، إِذَا أَتَاهُ الرَّجُلُ بِصَدَقَةِ مَالِهِ، صَلَّى عَلَيْهِ. فَأَتَيْتُهُ بِصَدَقَةِ مَالِي فَقَالَ: «**اللَّهُمَّ صَلِّ عَلَى آلِ أَبِي أَوْفَى**».

1797 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ، عَنِ الْبَخْتَرِيِّ بْنِ عُبَيْدٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا أَعْطَيْتُمُ الزَّكَاةَ فَلاَ تَنْسَوْا ثَوَابَهَا، أَنْ تَقُولُوا: اللَّهُمَّ اجْعَلْهَا مَغْنَماً وَلاَ تَجْعَلْهَا مَغْرَماً**».

9 ـ بابُ صَدَقَةِ الإبِلِ

1798 ـ **حدّثنا** أَبُو بِشْرٍ، بَكْرُ بْنُ خَلَفٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا سُلَيْمَانُ بْنُ كَثِيرٍ. حَدَّثَنَا ابْنُ شِهَابٍ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، عَنِ النَّبِيِّ ﷺ قَالَ: أَقْرَأَنِي سَالِمٌ كِتَاباً كَتَبَهُ رَسُولُ اللَّهِ ﷺ فِي الصَّدَقَاتِ قَبْلَ أَنْ يَتَوَفَّاهُ اللَّهُ. فَوَجَدْتُ فِيهِ: «**فِي خَمْسٍ مِنَ الإِبِلِ شَاةٌ. وَفِي عَشْرٍ شَاتَانِ. وَفِي خَمْسَ عَشْرَةَ ثَلاَثُ شِيَاهٍ. وَفِي عِشْرِينَ أَرْبَعُ شِيَاهٍ. وَفِي خَمْسٍ وَعِشْرِينَ بِنْتُ مَخَاضٍ، إِلَى خَمْسٍ وَثَلاَثِينَ. فَإِنْ لَمْ تُوجَدْ بِنْتُ مَخَاضٍ، فَابْنُ لَبُونٍ، ذَكَرٌ. فَإِنْ زَادَتْ، عَلَى خَمْسٍ وَثَلاَثِينَ، وَاحِدَةً، فَفِيهَا بِنْتُ لَبُونٍ، إِلَى خَمْسٍ وَأَرْبَعِينَ. فَإِنْ زَادَتْ، عَلَى خَمْسٍ وَأَرْبَعِينَ، وَاحِدَةً، فَفِيهَا حِقَّةٌ إِلَى سِتِّينَ. فَإِنْ زَادَتْ، عَلَى سِتِّينَ، وَاحِدَةً، فَفِيهَا جَذَعَةٌ، إِلَى خَمْسٍ وَسَبْعِينَ. فَإِنْ زَادَتْ، عَلَى خَمْسٍ وَسَبْعِينَ وَاحِدَةً، فَفِيهَا ابْنَتَا لَبُونٍ إِلَى تِسْعِينَ. فَإِنْ زَادَتْ، عَلَى تِسْعِينَ، وَاحِدَةً، فَفِيهَا حِقَّتَانِ، إِلَى عِشْرِينَ وَمِائَةٍ. فَإِذَا كَثُرَتْ، فَفِي كُلِّ خَمْسِينَ، حِقَّةٌ. وَفِي كُلِّ أَرْبَعِينَ، بِنْتُ لَبُونٍ**».

1799 ـ **حدّثنا** مُحَمَّدُ بْنُ عَقِيلِ بْنِ خُوَيْلِدٍ النَّيْسَابُورِيُّ. حَدَّثَنَا حَفْصُ بْنُ عَبْدِ اللَّهِ السُّلَمِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ طَهْمَانَ، عَنْ عَمْرِو بْنِ يَحْيَى بْنِ عُمَارَةَ، عَنْ أَبِيهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَيْسَ فِيمَا دُونَ خَمْسٍ مِنَ الإِبِلِ صَدَقَةٌ. وَلاَ فِي الأَرْبَعِ شَيْءٌ، فَإِذَا بَلَغَتْ خَمْساً فَفِيهَا شَاةٌ إِلَى أَنْ تَبْلُغَ تِسْعاً**.

female-goats are due; and if it is fifteen to nineteen, three female-goats are due; and if it is twenty to twenty-four (camels), four female-goats are due; and if it is twenty-five to thirty-five (camels), a one-year old she-camel is due, and in case there is no one-year old she-camel, a two-year old male-camel might be given; and if it is even one camel over (thirty-five) to forty-five (camels), a two-year old she-camel should be given; and if it is even one camel over (forty-five) to sixty (camels), a three-year old she-camel should be given; and if it is even one camel over (sixty) to seventy-five (camels), a four-year old she-camel should be given; and if it is even one camel over (seventy-five) to ninety (camels), a double two-year old she-camels should be given; and if it is even one camel over (ninety) to one hundred and twenty, a double three-year old she-camels should be given; and if it is more than that, then, for every fifty (camels) a three-year old she-camel should be given, and for every forty (camels) a two-year old she-camel should be given."

[10] When The Charity Collector Takes Something Different In Age From What Is Due

1800- It is narrated on the authority of Anas Ibn Malik: Abu Bakr wrote to me: "In the Name of Allah, Most Gracious, Most Merciful: The following contains (the conditions pertaining to) the obligation of Zakat, enjoined by the Messenger of Allah "Allah's blessing and peace be upon him" upon the Muslims, in accordance with what Allah had ordered the Apostle of Allah "Allah's blessing and peace be upon him": Pertaining to the camels of different ages, as far as the obligatory charity is concerned, Whoever had to pay a four-year-old she-camel as Zakat from his herd of camels and he had not got one, and he had a three-year-old she-camel, the latter should be accepted from him along with two sheep if they were available or twenty Dirhams. Whoever had to pay a three-old-year she-camel as Zakat and he had a two-year-old she-camel, the latter should be accepted from him along with two sheep or twenty Dirhams. Whoever had to pay a two-year-old she-camel and had but a three-year-old one, the latter should be accepted from him and the Zakat collector should repay him twenty Dirhams or two sheep. Whoever had to pay a two-year-old she-camel and he had but a one-year-old she-camel, the latter should be accepted from him along with twenty Dirhams or two sheep. Whoever had to pay a one-year-old-she-camel, and he had got but a two-year-old-she-camel, the latter might be accepted from him provided that the Zakat collector should repay him twenty Dirhams or two sheep. But if he had got

فَإِذَا بَلَغَتْ عَشْراً، فَفِيهَا شَاتَانِ، إِلَى أَنْ تَبْلُغَ أَرْبَعَ عَشْرَةَ. فَإِذَا بَلَغَتْ خَمْسَ عَشْرَةَ، فَفِيهَا ثَلاَثُ شِيَاهٍ، إِلَى أَنْ تَبْلُغَ تِسْعَ عَشْرَةَ. فَإِذَا بَلَغَتْ عِشْرِينَ، فَفِيهَا أَرْبَعُ شِيَاهٍ، إِلَى أَنْ تَبْلُغَ أَرْبَعاً وَعِشْرِينَ. فَإِذَا بَلَغَتْ خَمْساً وَعِشْرِينَ، فَفِيهَا بِنْتُ مَخَاضٍ، إِلَى خَمْسٍ وَثَلاَثِينَ. فَإِذَا لَمْ تَكُنْ بِنْتُ مَخَاضٍ فَابْنُ لَبُونٍ، ذَكَرٌ. فَإِنْ زَادَتْ بَعِيراً، فَفِيهَا بِنْتُ لَبُونٍ، إِلَى أَنْ تَبْلُغَ خَمْساً وَأَرْبَعِينَ. فَإِنْ زَادَتْ بَعِيراً، فَفِيهَا حِقَّةٌ، إِلَى أَنْ تَبْلُغَ سِتِّينَ. فَإِنْ زَادَتْ بَعِيراً، فَفِيهَا جَذَعَةٌ. إِلَى أَنْ تَبْلُغَ خَمْساً وَسَبْعِينَ. فَإِنْ زَادَتْ بَعِيراً، فَفِيهَا بِنْتَا لَبُونٍ، إِلَى أَنْ تَبْلُغَ تِسْعِينَ. فَإِنْ زَادَتْ بَعِيراً، فَفِيهَا حِقَّتَانِ، إِلَى أَنْ تَبْلُغَ عِشْرِينَ وَمِائَةً. ثُمَّ فِي كُلِّ خَمْسِينَ، حِقَّةٌ. وَفِي كُلِّ أَرْبَعِينَ، بِنْتُ لَبُونٍ».

10 ـ بابٌ إذا أَخَذَ المُصَدِّقُ سِنّاً دُونَ سِنٍّ أو فَوْقَ سِنٍّ

1800 ـ حدّثنا مُحَمَّدُ بْنُ بَشَّارٍ، وَمُحَمَّدُ بْنُ يَحْيَى، وَمُحَمَّدُ بْنُ مَرْزُوقٍ. قَالُوا: حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ الْمُثَنَّى. حَدَّثَنِي أَبِي، عَنْ ثُمَامَةَ. حَدَّثَنِي أَنَسُ بْنُ مَالِكٍ؛ أَنَّ أَبَا بَكْرٍ الصِّدِّيقَ كَتَبَ لَهُ: بِسْمِ اللَّهِ الرَّحْمٰنِ الرَّحِيمِ. هٰذِهِ فَرِيضَةُ الصَّدَقَةِ الَّتِي فَرَضَ رَسُولُ اللَّهِ ﷺ عَلَى الْمُسْلِمِينَ الَّتِي أَمَرَ اللَّهُ بِهَا رَسُولَ اللَّهِ ﷺ. فَإِنَّ مِنْ أَسْنَانِ الْإِبِلِ فِي فَرَائِضِ الْغَنَمِ مَنْ بَلَغَتْ عِنْدَهُ مِنَ الْإِبِلِ صَدَقَةُ الْجَذَعَةِ، وَلَيْسَ عِنْدَهُ جَذَعَةٌ، وَعِنْدَهُ حِقَّةٌ، فَإِنَّهَا تُقْبَلُ مِنْهُ الْحِقَّةُ. وَيَجْعَلُ مَكَانَهَا شَاتَيْنِ إِنِ اسْتَيْسَرَتَا. أَوْ عِشْرِينَ دِرْهَماً. وَمَنْ بَلَغَتْ عِنْدَهُ صَدَقَةُ الْحِقَّةِ، وَلَيْسَتْ عِنْدَهُ إِلاَّ بِنْتُ لَبُونٍ، فَإِنَّهَا تُقْبَلُ مِنْهُ بِنْتُ لَبُونٍ، وَيُعْطِي مَعَهَا شَاتَيْنِ أَوْ عِشْرِينَ دِرْهَماً. وَمَنْ بَلَغَتْ صَدَقَتُهُ بِنْتَ لَبُونٍ، وَلَيْسَتْ عِنْدَهُ، وَعِنْدَهُ حِقَّةٌ، فَإِنَّهَا تُقْبَلُ مِنْهُ الْحِقَّةُ وَيُعْطِيهِ الْمُصَدِّقُ عِشْرِينَ دِرْهَماً، أَوْ شَاتَيْنِ. وَمَنْ بَلَغَتْ صَدَقَتُهُ بِنْتَ لَبُونٍ، وَلَيْسَتْ

no one-year-old-she-camel, and instead, he had a two-year-old-he-camel, the latter should be accepted from him, with nothing (to give or take from the charity collector)."

[11] What Should The Charity Collector Take From The Camels

1801- It is narrated on the authority of Suwaid Ibn Ghafalah that he said: The charity collector sent by the Messenger of Allah "Allah's blessing and peace be upon him" came to us (to take our obligatory charity), and I took hold of his hand, and read in the covenant made to him (by the Prophet) that no separate possessions (of two persons) should be combined (to get the obligatory charity from them altogether), nor should a joint property be separated (to get the obligatory charity from each of them solely) for fear of (increasing or decreasing) the obligatory charity. Then, a man brought to him a huge fat she-camel (as the obligatory charity due upon him), but he refused to take it from him. He brought to him another (she-camel) lesser in size and he took it from him, saying: "Which (region of) land could carry me (on its surface) and which sky could shade me if I came back to the Messenger of Allah "Allah's blessing and peace be upon him" with the best camels of a Muslim person (as obligatory charity)?"

1802- It is narrated on the authority of Jarir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The charity collector should not come back (to take the obligatory charity) unless there is satisfaction (from the part of the almsgivers)."

[12] The Almsgiving Due Upon The Cows

1803- It is narrated on the authority of Mu'adh Ibn Jabal that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent me to Yemen, and commanded me to take whatever obligatory charity is due upon the cows: a three-year-old female cow out of every forty; and a two-year-old female or male cow out of every thirty.

1804- It is narrated on the authority of Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Out of thirty cows, a two-year old female or male cow should be given; and out of forty cows, a three-year old female-cow should be given (as obligatory charity)."

[13] The Almsgiving Due Upon The Sheep

1805- It is narrated on the authority of Ibn Shihab from Salim from his father (Ibn Umar) from the Messenger of Allah "Allah's blessing and peace be upon him"; and he (Ibn Shihab) said: Salim made me read a document

عِنْدَهُ، وَعِنْدَهُ بِنْتُ مَخَاضٍ، فَإِنَّهَا تُقْبَلُ مِنْهُ ابْنَةُ مَخَاضٍ وَيُعْطِي مَعَهَا عِشْرِينَ دِرْهَماً، أَوْ شَاتَيْنِ. وَمَنْ بَلَغَتْ صَدَقَتُهُ بِنْتَ مَخَاضٍ، وَلَيْسَتْ عِنْدَهُ، وَعِنْدَهُ ابْنَةُ لَبُونٍ، فَإِنَّهَا تُقْبَلُ مِنْهُ بِنْتُ لَبُونٍ، وَيُعْطِيهِ الْمُصَدِّقُ عِشْرِينَ دِرْهَماً، أَوْ شَاتَيْنِ. فَمَنْ لَمْ يَكُنْ عِنْدَهُ ابْنَةُ مَخَاضٍ عَلَى وَجْهِهَا، وَعِنْدَهُ ابْنُ لَبُونٍ ذَكَرٌ، فَإِنَّهُ يُقْبَلُ مِنْهُ، وَلَيْسَ مَعَهُ شَيْءٌ.

11 ـ بابُ ما يَأْخُذُ المُصَدِّقُ مِنَ الإِبِلِ

1801 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا شَرِيكٌ، عَنْ عُثْمَانَ الثَّقَفِيِّ، عَنْ أَبِي لَيْلَى الْكِنْدِيِّ، عَنْ سُوَيْدِ بْنِ غَفَلَةَ؛ قَالَ: جَاءَنَا مُصَدِّقُ النَّبِيِّ ﷺ فَأَخَذْتُ بِيَدِهِ وَقَرَأْتُ فِي عَهْدِهِ: لاَ يُجْمَعُ بَيْنَ مُتَفَرِّقٍ وَلاَ يُفَرَّقُ بَيْنَ مُجْتَمِعٍ، خَشْيَةَ الصَّدَقَةِ. فَأَتَاهُ رَجُلٌ بِنَاقَةٍ عَظِيمَةٍ مُلَمْلَمَةٍ فَأَبَى أَنْ يَأْخُذَهَا. فَأَتَاهُ بِأُخْرَى دُونَهَا فَأَخَذَهَا، وَقَالَ: أَيُّ أَرْضٍ تُقِلُّنِي، وَأَيُّ سَمَاءٍ تُظِلُّنِي، إِذَا أَتَيْتُ رَسُولَ اللَّهِ ﷺ وَقَدْ أَخَذْتُ خِيَارَ إِبِلِ رَجُلٍ مُسْلِمٍ.

1802 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ، عَنْ جَرِيرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ يَرْجِعُ الْمُصَدِّقُ إِلاَّ عَنْ رِضاً»**.

12 ـ بابُ صَدَقَةِ البَقَرِ

1803 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا يَحْيَى بْنُ عِيسَى الرَّمْلِيُّ. حَدَّثَنَا الأَعْمَشُ، عَنْ شَقِيقٍ، عَنْ مَسْرُوقٍ، عَنْ مُعَاذِ بْنِ جَبَلٍ؛ قَالَ: بَعَثَنِي رَسُولُ اللَّهِ ﷺ إِلَى الْيَمَنِ. وَأَمَرَنِي أَنْ آخُذَ مِنَ الْبَقَرِ، مِنْ كُلِّ أَرْبَعِينَ، مُسِنَّةً. وَمِنْ كُلِّ ثَلاَثِينَ، تَبِيعاً أَوْ تَبِيعَةً.

1804 ـ **حدّثنا** سُفْيَانُ بْنُ وَكِيعٍ. حَدَّثَنَا عَبْدُ السَّلامِ بْنُ حَرْبٍ، عَنْ خَصِيفٍ، عَنْ أَبِي عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«فِي ثَلاَثِينَ مِنَ الْبَقَرِ، تَبِيعٌ أَوْ تَبِيعَةٌ. وَفِي أَرْبَعِينَ، مُسِنَّةٌ»**.

13 ـ بابُ صَدَقَةِ الغَنَمِ

1805 ـ **حدّثنا** بَكْرُ بْنُ خَلَفٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا

pertaining to the obligatory charity, written by (the command of) the Messenger of Allah "Allah's blessing and peace be upon him" before he died, in which I read: Out of the (property consisting of) forty to one hundred and twenty sheep, a single female goat should be given (as obligatory charity); and if it is even one more than that up to two hundred, two female goats should be given; and if it is even one more than that up to three hundred, three female goats should be given; and if it is more than that, a female goat should be given out of one hundred." I also read in it that no separate possessions (of different persons) should be combined (to get the obligatory charity upon both altogether as if one property), nor should a joint property be separated (to get the obligatory charity upon each solely). I further read in it that no male goat, nor old aged sheep, nor defective one should be included as objects of the obligatory charity.

1806- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The obligatory charity due upon (the property of) the Muslims should be taken while being on (the places of) their water."

Comment: (The significance here is that the charity collector should not make it difficult upon the payers, by getting them come to him with their objects of charity: on the contrary, he should go to the place where they water their animals in order to make it easy for them.)

1807- It is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him" that "Out of the (property consisting of) forty to one hundred and twenty sheep, a single female goat should be given (as obligatory charity); and if it is even one more than that up to two hundred, two female goats should be given; and if it is even one more than that up to three hundred, three female goats should be given; and if it is more than that, a female goat should be given out of one hundred. No separate possessions (of different persons) should be combined (to get the obligatory charity upon both altogether as if one property), nor should a joint property be separated (to get the obligatory charity upon each solely) for fear of (increasing or decreasing the objects of) charity; and let (the surplus value of each item of) the mixture consisting of two (different kinds of objects) be brought back (to its owner) in order to deal with (the objects of both) on equitable terms. Furthermore, no male goat, nor old aged sheep, nor defective one should be included by the almsgiver, unless the charity collector accepts that."

سُلَيْمَانُ بْنُ كَثِيرٍ. حَدَّثَنَا ابْنُ شِهَابٍ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: أَقْرَأَنِي سَالِمٌ كِتَاباً كَتَبَهُ رَسُولُ اللَّهِ ﷺ فِي الصَّدَقَاتِ قَبْلَ أَنْ يَتَوَفَّاهُ اللَّهُ. فَوَجَدْتُ فِيهِ: «**فِي أَرْبَعِينَ شَاةً، شَاةٌ، إِلَى عِشْرِينَ وَمِائَةٍ. فَإِذَا زَادَتْ وَاحِدَةً، فَفِيهَا شَاتَانِ، إِلَى مِائَتَيْنِ. فَإِنْ زَادَتْ وَاحِدَةً، فَفِيهَا ثَلاثُ شِيَاهٍ، إِلَى ثَلاثِمِائَةٍ. فَإِذَا كَثُرَتْ، فَفِي كُلِّ مِائَةٍ، شَاةٌ**». وَوَجَدْتُ فِيهِ: «**لاَ يُجْمَعُ بَيْنَ مُتَفَرِّقٍ، وَلاَ يُفَرَّقُ بَيْنَ مُجْتَمِعٍ**». وَوَجَدْتُ فِيهِ: «**لاَ يُؤْخَذُ فِي الصَّدَقَةِ تَيْسٌ وَلاَ هَرِمَةٌ وَلاَ ذَاتُ عَوَارٍ**».

1806 ـ حدّثنا أَبُو بَدْرٍ، عَبَّادُ بْنُ الْوَلِيدِ. حَدَّثَنَا مُحَمَّدُ بْنُ الْفَضْلِ. حَدَّثَنَا ابْنُ الْمُبَارَكِ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**تُؤْخَذُ صَدَقَاتُ الْمُسْلِمِينَ عَلَى مِيَاهِهِمْ**».

1807 ـ حدّثنا أَحْمَدُ بْنُ عُثْمَانَ بْنِ حَكِيمٍ الأَوْدِيُّ. حَدَّثَنَا أَبُو نُعَيْمٍ. حَدَّثَنَا عَبْدُ السَّلاَمِ بْنُ حَرْبٍ، عَنْ يَزِيدَ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي هِنْدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ: «**فِي أَرْبَعِينَ شَاةً، شَاةٌ، إِلَى عِشْرِينَ وَمِائَةٍ. فَإِذَا زَادَتْ وَاحِدَةً، فَفِيهَا شَاتَانِ، إِلَى مِائَتَيْنِ. فَإِنْ زَادَتْ وَاحِدَةً، فَفِيهَا ثَلاثُ شِيَاهٍ، إِلَى ثَلاثِمِائَةٍ. فَإِنْ زَادَتْ، فَفِي كُلِّ مِائَةٍ شَاةٌ. لاَ يُفَرَّقُ بَيْنَ مُجْتَمِعٍ، وَلاَ يُجْمَعُ بَيْنَ مُتَفَرِّقٍ، خَشْيَةَ الصَّدَقَةِ. وَكُلُّ خَلِيطَيْنِ يَتَرَاجَعَانِ بِالسَّوِيَّةِ. وَلَيْسَ لِلْمُصَدِّقِ هَرِمَةٌ وَلاَ ذَاتُ عَوَارٍ وَلاَ تَيْسٌ، إِلاَّ أَنْ يَشَاءَ الْمُصَدِّقُ**».

[14] What About Those Employed In The Charity Collection

1808- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The one (employed in the charity collection) who deals wrongfully (with the almsgivers) is like him, who withholds it."

Comment: (That's because by such injustice towards the almsgivers, as he permits himself to take from them more than what is due, he causes them to withhold their objects of charity in the coming year once he comes to take their alms; and in this way, he shares the sin of withholding.)

1809- It is narrated on the authority of Rafi' Ibn Khadij that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The one who deals justly (with the almsgivers) as far as the objects of charity are concerned, is like the fighter in the Cause of Allah until he returns to his house."

1810- It is narrated on the authority of Abdullah Ibn Unais that he and Umar discussed the matter of almsgiving, thereupon Umar said to him: "Have you not heard the Messenger of Allah "Allah's blessing and peace be upon him" having told, when he made a mention of the misappropriation in almsgiving, that whoever misappropriated a camel or a goat from it, it will be brought to him to carry on the Day of Judgement?" Abdullah Ibn Unais answered in the affirmative.

1811- It is narrated on the authority of Imran Ibn Al-Husain that he was employed to collect alms and when he returned, he was asked (by the governor): "Where is the money (you have collected)?" he said: "Have you sent me to bring you money? No doubt, we've taken it from wherever we used to take it during the lifetime of Allah's Messenger "Allah's blessing and peace be upon him", and placed it wherever we used to place it."

[15] The Almsgiving Due Upon Both Horses And Slaves

1812- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There are no alms due upon a Muslim concerning his slave and horse."

1813- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I've relieved you of the alms concerning both horses and slaves."

14 ـ بابُ ما جَاءَ في عُمَّالِ الصَّدَقَةِ

1808 ـ **حدّثنا** عِيسَى بْنُ حَمَّادٍ الْمِصْرِيُّ. حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ سَعْدِ بْنِ سِنَانٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الْمُعْتَدِي فِي الصَّدَقَةِ كَمَانِعِهَا»**.

1809 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، وَمُحَمَّدُ بْنُ فُضَيْلٍ، وَيُونُسُ بْنُ بُكَيْرٍ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ عَاصِمِ بْنِ عُمَرَ بْنِ قَتَادَةَ، عَنْ مَحْمُودِ بْنِ لَبِيدٍ، عَنْ رَافِعِ بْنِ خَدِيجٍ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«الْعَامِلُ عَلَى الصَّدَقَةِ بِالْحَقِّ كَالْغَازِي فِي سَبِيلِ اللَّهِ، حَتَّى يَرْجِعَ إِلَى بَيْتِهِ»**.

1810 ـ **حدّثنا** عَمْرُو بْنُ سَوَّادٍ الْمِصْرِيُّ. حَدَّثَنَا ابْنُ وَهْبٍ. أَخْبَرَنِي عَمْرُو بْنُ الْحَرِثِ؛ أَنَّ مُوسَى بْنَ جُبَيْرٍ حَدَّثَهُ أَنَّ عَبْدَ اللَّهِ بْنَ عَبْدِ الرَّحْمٰنِ بْنِ الْحُبَابِ الأَنْصَارِيَّ، حَدَّثَهُ أَنَّ عَبْدَ اللَّهِ ابْنَ أُنَيْسٍ حَدَّثَهُ أَنَّهُ تَذَاكَرَ هُوَ وَعُمَرُ بْنُ الْخَطَّابِ، يَوْماً، الصَّدَقَةَ. فَقَالَ عُمَرُ: أَلَمْ تَسْمَعْ رَسُولَ اللَّهِ ﷺ حِينَ يَذْكُرُ غُلُولَ الصَّدَقَةِ: **«أَنَّهُ مَنْ غَلَّ مِنْهَا بَعِيراً أَوْ شَاةً أُتِيَ بِهِ يَوْمَ الْقِيَامَةِ يَحْمِلُهُ»**؟ قَالَ: فَقَالَ عَبْدُ اللَّهِ بْنُ أُنَيْسٍ: بَلَىٰ.

1811 ـ **حدّثنا** أَبُو بَدْرٍ، عَبَّادُ بْنُ الْوَلِيدِ. حَدَّثَنَا أَبُو عَتَّابٍ. حَدَّثَنِي إِبْرَاهِيمُ بْنُ عَطَاءٍ، مَوْلَى عِمْرَانَ. حَدَّثَنِي أَبِي؛ أَنَّ عِمْرَانَ بْنَ الْحُصَيْنِ اسْتُعْمِلَ عَلَى الصَّدَقَةِ. فَلَمَّا رَجَعَ قِيلَ لَهُ: أَيْنَ الْمَالُ؟ قَالَ: وَلِلْمَالِ أَرْسَلْتَنِي؟ أَخَذْنَاهُ مِنْ حَيْثُ كُنَّا نَأْخُذُهُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ، وَوَضَعْنَاهُ حَيْثُ كُنَّا نَضَعُهُ.

15 ـ بابُ صَدَقَةِ الخَيْلِ والرَّقِيقِ

1812 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، عَنْ عِرَاكِ بْنِ مَالِكٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيْسَ عَلَى الْمُسْلِمِ فِي عَبْدِهِ وَلاَ فِي فَرَسِهِ صَدَقَةٌ»**.

1813 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَبِي إِسْحَاقَ، عَنِ الْحَرِثِ، عَنْ عَلِيٍّ، عَنِ النَّبِيِّ ﷺ قَالَ: **«تَجَوَّزْتُ لَكُمْ عَنْ صَدَقَةِ الْخَيْلِ وَالرَّقِيقِ»**.

[16] From Which Property Should The Obligatory Charity Be Taken

1814- It is narrated on the authority of Mu'adh Ibn Jabal that when the Messenger of Allah "Allah's blessing and peace be upon him" sent him to Yemen, he said to him: "Take (the obligatory charity from the same kind of property upon which it is due: if it is) grains (you should take it) from grains; (if it is) sheep (you should take it) from sheep; (if it is) camels (you should take it) from camels (provided that they are more than twenty-four); and (if it is) cows (you should take it) from cows."

1815- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" laid the foundation of the obligatory charity in those five (crops which were prevalent at that time): the wheat, the parley, the dates, the raisin, and the maize.

[17] The Almsgiving Due Upon Plants And Fruits

1816- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Out of whatever (plants) are watered with the help of the sky (i.e. the precipitation) and the springs, one-tenth (should be given as obligatory charity); and out of whatever (plants) are watered with the help of irrigation, one-twentieth (should be given)."

1817- It is narrated on the authority of Salim from his father that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Out of whatever (plants) are watered with the help of the sky (i.e. the rainfall), the rivers or springs, or that which fixes its roots in the ground, and gets water from under the land (such as date-palms which are cultivated near wells, springs, streams etc), one-tenth (should be given as obligatory charity); and out of whatever (plants) are watered with the help of the she-camels used for agricultural purposes, one-twentieth (should be given)."

1818- It is narrated on the authority of Mu'adh Ibn Jabal that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent me to Yemen, and ordered me to take (as obligatory charity) one-tenth whatever (plants) are watered with the help of the sky, and that which fixes its roots in the ground, and gets its water from under the land (with no need of the rainfall); and one-twentieth whatever (plants) are watered with the help of buckets.

16 ـ بابُ ما تَجِبُ فيه الزَّكَاةُ مِنَ الأَمْوَالِ

1814 ـ **حدّثنا** عَمْرُو بْنُ سَوَّادٍ الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَخْبَرَنِي سُلَيْمَانُ بْنُ بِلاَلٍ، عَنْ شَرِيكِ بْنِ أَبِي نَمِرٍ، عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ مُعَاذِ بْنِ جَبَلٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ بَعَثَهُ إِلَى الْيَمَنِ، وقَالَ لَهُ: «**خُذِ الْحَبَّ مِنَ الْحَبِّ. وَالشَّاةَ مِنَ الْغَنَمِ. وَالْبَعِيرَ مِنَ الإِبِلِ. وَالْبَقَرَةَ مِنَ الْبَقَرِ**».

1815 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ مُحَمَّدِ بْنِ عُبَيْدِ اللَّهِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: إِنَّمَا سَنَّ رَسُولُ اللَّهِ ﷺ الزَّكَاةَ فِي هٰذِهِ الْخَمْسَةِ: فِي الْحِنْطَةِ، وَالشَّعِيرِ، وَالتَّمْرِ، وَالزَّبِيبِ، وَالذُّرَةِ.

17 ـ بابُ صَدَقَةِ الزُّرُوعِ والثِّمَارِ

1816 ـ **حدّثنا** إِسْحَاقُ بْنُ مُوسَى، أَبُو مُوسَى الأَنْصَارِيُّ. حَدَّثَنَا عَاصِمُ بْنُ عَبْدِ الْعَزِيزِ بْنِ عَاصِمٍ. حَدَّثَنَا الْحَرِثُ بْنُ عَبْدِ الرَّحْمٰنِ بْنِ عَبْدِ اللَّهِ بْنِ سَعْدِ بْنِ أَبِي ذُبَابٍ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، وَعَنْ بُسْرِ بْنِ سَعِيدٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**فِيمَا سَقَتِ السَّمَاءُ وَالْعُيُونُ، الْعُشْرُ. وَفِيمَا سُقِيَ بِالنَّضْحِ، نِصْفُ الْعُشْرِ**».

1817 ـ **حدّثنا** هَارُونُ بْنُ سَعِيدٍ الْمِصْرِيُّ، أَبُو جَعْفَرٍ. حَدَّثَنَا ابْنُ وَهْبٍ. أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمٍ، عَنْ أَبِيهِ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**فِيمَا سَقَتِ السَّمَاءُ وَالأَنْهَارُ وَالْعُيُونُ، أَوْ كَانَ بَعْلاً، الْعُشْرُ. وَفِيمَا سُقِيَ بِالسَّوَانِي، نِصْفُ الْعُشْرِ**».

1818 ـ **حدّثنا** الْحَسَنُ بْنُ عَلِيِّ بْنِ عَفَّانَ. حَدَّثَنَا يَحْيَى بْنُ آدَمَ. حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ عَاصِمِ بْنِ أَبِي النَّجُودِ، عَنْ أَبِي وَائِلٍ، عَنْ مَسْرُوقٍ، عَنْ مُعَاذِ بْنِ جَبَلٍ؛ قَالَ: بَعَثَنِي رَسُولُ اللَّهِ ﷺ إِلَى الْيَمَنِ. وَأَمَرَنِي أَنْ آخُذَ مِمَّا سَقَتِ السَّمَاءُ، وَمَا سُقِيَ بَعْلاً، الْعُشْرَ. وَمَا سُقِيَ بِالدَّوَالِي، نِصْفَ الْعُشْرِ.

قَالَ يَحْيَى بْنُ آدَمَ: الْبَعْلُ وَالْعَثَرِيُّ وَالْعَذْيُ هُوَ الَّذِي يُسْقَى بِمَاءِ السَّمَاءِ. وَالْعَثَرِيُّ مَا يُزْرَعُ بِالسَّحَابِ وَالْمَطَرِ خَاصَّةً. لَيْسَ يُصِيبُهُ إِلاَّ مَاءُ الْمَطَرِ. وَالْبَعْلُ مَا كَانَ مِنَ الْكُرُومِ قَدْ ذَهَبَتْ عُرُوقُهُ فِي الأَرْضِ إِلَى الْمَاءِ. فَلاَ يَحْتَاجُ إِلَى السَّقْيِ. الْخَمْسَ سِنِينَ وَالسِّتَّ. يَحْتَمِلُ تَرْكَ السَّقْيِ. فَهٰذَا الْبَعْلُ. وَالسَّيْلُ مَاءُ الْوَادِي إِذَا سَالَ. وَالْغَيْلُ سَيْلٌ دُونَ سَيْلٍ.

[18] Estimating Date-Palms And Vines

1819- It is narrated on the authority of Itab Ibn Asid that the Messenger of Allah "Allah's blessing and peace be upon him" used to send to people those who would estimate their vines and fruits (in order to make it easy to take whatever obligatory charity is due upon them at the time of plucking).

1820- It is narrated on the authority of Ibn Abbas that when the Messenger of Allah "Allah's blessing and peace be upon him" conquered Khaibar, he put the condition that he should have (the possession of) the land, and whatever yellow and white (metals) it contains, i.e. both gold and silver. The inhabitants of Khaibar said to him: "We are more acquainted with the land: so, give it to us, in order to cultivate it, on the condition that we would have half the yields, and you the other half." He pretended that he gave it to them on that condition. When it was (a short time before) the dates would be plucked, he sent Abdullah Ibn Rawahah, who guessed (the amount of) the date-palms, i.e. estimated them according to the dialect of the inhabitants of Medina. He said: "They are such and such (in number)." They said: "You've put (the number you guessed of) it so much more upon us O Ibn Rawahah!" he said: "I guess the (number of the) date-palms, and give you half of what I've said." On that they said: "This is then the truth, upon which both the heaven and the earth stand." They further said: "We've been satisfied to depend upon what you've said."

[19] It Is Forbidden To Give The Alms Out Of The Worst Of Property

1821- It is narrated on the authority of Awf Ibn Malik Al-Ashja'i that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" set out and a man had hung branches or a branch of dates (in the pillar of the mosque, so that the indigent among the people would eat of it); and he (the Prophet) had a stick in his hand, with which he hastened to poke the branch, while saying: "Had the giver of this (object of) charity willed, surely, he would have given in charity something better than that. No doubt, the giver of this (object of) charity will eat the (reward of such) dry rotten dates on the Day of Judgement."

1822- It is narrated on the authority of Al-Bara Ibn Azib that he said pertaining to Allah's saying: "O you who believe! Give of the good things which you have (honourably) earned, and of the fruits of the earth which We have produced for you, and do not even aim at getting anything which is bad, in order that out of it you may give away something, when you yourselves would not receive it except with closed eyes. And know that Allah is free of all wants, and worthy of all praise" (Al-Baqarah [267]) It

18 ـ بابُ خَرْصِ النَّخْلِ والعِنَبِ

1819 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ، وَالزُّبَيْرُ بْنُ بَكَّارٍ. قَالاَ: حَدَّثَنَا ابْنُ نَافِعٍ. حَدَّثَنَا مُحَمَّدُ بْنُ صَالِحٍ التَّمَّارُ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ عَتَّابِ بْنِ أَسِيدٍ؛ أَنَّ النَّبِيَّ ﷺ كَانَ يَبْعَثُ عَلَى النَّاسِ مَنْ يَخْرُصُ عَلَيْهِمْ كُرُومَهُمْ وَثِمَارَهُمْ.

1820 ـ **حدّثنا** مُوسَى بْنُ مَرْوَانَ الرَّقِّيُّ. حَدَّثَنَا عُمَرُ بْنُ أَيُّوبَ، عَنْ جَعْفَرِ بْنِ بُرْقَانَ، عَنْ مَيْمُونِ بْنِ مِهْرَانَ، عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ، حِينَ افْتَتَحَ خَيْبَرَ، اشْتَرَطَ عَلَيْهِمْ أَنَّ لَهُ الأَرْضَ، وَكُلَّ صَفْرَاءَ وَبَيْضَاءَ. يَعْنِي الذَّهَبَ وَالْفِضَّةَ. وَقَالَ لَهُ أَهْلُ خَيْبَرَ: نَحْنُ أَعْلَمُ بِالأَرْضِ. فَأَعْطِنَاهَا عَلَى أَنْ نَعْمَلَهَا وَيَكُونَ لَنَا نِصْفُ الثَّمَرَةِ وَلَكُمْ نِصْفُهَا. فَزَعَمَ أَنَّهُ أَعْطَاهُمْ عَلَى ذٰلِكَ. فَلَمَّا كَانَ حِينَ يُصْرَمُ النَّخْلُ، بَعَثَ إِلَيْهِمِ ابْنَ رَوَاحَةَ. فَحَزَرَ النَّخْلَ. وَهُوَ الَّذِي يَدْعُونَهُ، أَهْلُ الْمَدِينَةِ، الْخَرْصَ فَقَالَ: فِي ذَا، كَذَا وَكَذَا. فَقَالُوا: أَكْثَرْتَ عَلَيْنَا يَا ابْنَ رَوَاحَةَ. فَقَالَ: فَأَنَا أَحْزُرُ النَّخْلَ وَأُعْطِيكُمْ نِصْفَ الَّذِي قُلْتُ. قَالَ، فَقَالُوا: هٰذَا الْحَقُّ. وَبِهِ تَقُومُ السَّمَاءُ وَالأَرْضُ. فَقَالُوا: قَدْ رَضِينَا أَنْ نَأْخُذَ بِالَّذِي قُلْتَ.

19 ـ بابُ النَّهْيِ أَنْ يُخْرِجَ في الصَّدَقَةِ شَرَّ مَالِهِ

1821 ـ **حدّثنا** أَبُو بِشْرٍ، بَكْرُ بْنُ خَلَفٍ. حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ عَبْدِ الْحَمِيدِ بْنِ جَعْفَرٍ. حَدَّثَنِي صَالِحُ بْنُ أَبِي عَرِيبٍ، عَنْ كَثِيرِ بْنِ مُرَّةَ الْحَضْرَمِيِّ، عَنْ عَوْفِ بْنِ مَالِكٍ الأَشْجَعِيِّ؛ قَالَ: خَرَجَ رَسُولُ اللَّهِ ﷺ، وَقَدْ عَلَّقَ رَجُلٌ أَقْنَاءَ أَوْ قِنْواً. وَبِيَدِهِ عَصاً. فَجَعَلَ يَطْعَنُ يُدَقْدِقُ فِي ذٰلِكَ الْقِنْوِ وَيَقُولُ: **«لَوْ شَاءَ رَبُّ هٰذِهِ الصَّدَقَةِ تَصَدَّقَ بِأَطْيَبَ مِنْهَا. إِنَّ رَبَّ هٰذِهِ الصَّدَقَةِ يَأْكُلُ الْحَشَفَ يَوْمَ الْقِيَامَةِ»**.

1822 ـ **حدّثنا** أَحْمَدُ بْنُ مُحَمَّدِ بْنِ يَحْيَى بْنِ سَعِيدٍ الْقَطَّانُ. حَدَّثَنَا عَمْرُو بْنُ مُحَمَّدٍ الْعَنْقَزِيُّ. حَدَّثَنَا أَسْبَاطُ بْنُ نَصْرٍ. عَنِ السُّدِّيِّ، عَنْ عَدِيِّ بْنِ ثَابِتٍ، عَنِ الْبَرَاءِ بْنِ عَازِبٍ، فِي قَوْلِهِ سُبْحَانَهُ: ﴿وَمِمَّآ أَخْرَجْنَا لَكُم مِّنَ ٱلْأَرْضِ وَلَا تَيَمَّمُوا۟ ٱلْخَبِيثَ مِنْهُ تُنفِقُونَ﴾ [البقرة: 267] قَالَ: نَزَلَتْ فِي الأَنْصَارِ. كَانَتِ الأَنْصَارُ تُخْرِجُ،

was revealed in regard to some people from the Ansar, who used, at the time of plucking dates, to take out the unripe dates, which they would hang on a rope between two pillars of the mosque of the Messenger of Allah "Allah's blessing and peace be upon him", from which the poor from amongst the Emigrants would eat. Some of them would aim at the bad remnants and put them with the unripe dates, thinking it was lawful to do so, (seeing they would not be evidently visible in view of their being mixed up with) the numerous branches of dates hanging (in the mosque). Thus, Allah Almighty revealed in connection with those who did so from among them: "and do not even aim at getting anything which is bad, in order to give out of it. "He means: do not aim at the dry rotten fruits from amongst the dates, in order to give it (in charity out of your property), "when you yourselves would not receive it except with closed eyes" i.e. If anyone of you is given the same he gives to others, he will not accept it, except with shyness out of rage because of the one who sends to him such as he has no need of it; and you should know that Allah is not in need of (such objects of) charity as given by you.

[20] The Obligatory Charity Due Upon Honey

1823- It is narrated on the authority of Abu Sayyarah Al-Muta'i that he said: I said: "O Messenger of Allah! I have got bees (which produce honey: what is the obligatory charity due upon that?)" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give one-tenth (the honey produced by them)." I said: "O Messenger of Allah! Make them under your protection for me (so that none would be covetous of them)." He made them under his protection.

1824- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather: Abdullah Ibn Amr that the Messenger of Allah "Allah's blessing and peace be upon him" took one-tenth the honey (produced by the bees of such as had bees as obligatory charity).

[21] The Almsgiving Of (Id) Al-Fitr

1825- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" ordered that the almsgiving of (Id) Al-Fitr should be a Sa' of dates or parley; but (later) the people gave two Mudds of wheat in substitution for that.

1826- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" enjoined upon everyone of Muslims, free or slave, male or female, to give a Sa' of parley or a Sa' of dates as the alms of (Id) Al-Fitr.

إِذَا كَانَ جِدَادُ النَّخْلِ، مِنْ حِيطَانِهَا، أَفْنَاءَ الْبُسْرِ. فَيُعَلِّقُونَهُ عَلَى حَبْلٍ بَيْنَ أُسْطُوَانَتَيْنِ فِي مَسْجِدِ رَسُولِ اللَّهِ ﷺ. فَيَأْكُلُ مِنْهُ فُقَرَاءُ الْمُهَاجِرِينَ. فَيَعْمِدُ أَحَدُهُمْ فَيُدْخِلُ قِنْواً فِيهِ الْحَشَفُ. يَظُنُّ أَنَّهُ جَائِزٌ فِي كَثْرَةِ مَا يُوضَعُ مِنَ الأَفْنَاءِ. فَنَزَلَ فِيمَنْ فَعَلَ ذَلِكَ: ﴿وَلَا تَيَمَّمُوا الْخَبِيثَ مِنْهُ تُنفِقُونَ﴾ يَقُولُ: لاَ تَعْمِدُوا لِلْحَشَفِ مِنْهُ تُنْفِقُونَ ﴿وَلَسْتُم بِآخِذِيهِ إِلَّا أَن تُغْمِضُوا فِيهِ﴾ يَقُولُ: لَوْ أُهْدِيَ لَكُمْ مَا قَبِلْتُمُوهُ إِلاَّ عَلَى اسْتِحْيَاءٍ مِنْ صَاحِبِهِ، غَيْظاً أَنَّهُ بَعَثَ إِلَيْكُمْ مَا لَمْ يَكُنْ لَكُمْ فِيهِ حَاجَةٌ. وَاعْلَمُوا أَنَّ اللَّهَ غَنِيٌّ عَنْ صَدَقَاتِكُمْ.

20 ـ بَابُ زَكَاةِ الْعَسَلِ

1823 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ، عَنْ سَعِيدِ بْنِ عَبْدِ الْعَزِيزِ، عَنْ سُلَيْمَانَ بْنِ مُوسَى، عَنْ أَبِي سَيَّارَةَ الْمُتَّقِيِّ. قَالَ، قُلْتُ: يَا رَسُولَ اللَّهِ إِنَّ لِي نَحْلاً. قَالَ: «أَدِّ الْعُشْرَ» قُلْتُ: يَا رَسُولَ اللَّهِ احْمِهَا لِي. فَحَمَاهَا لِي.

1824 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا نُعَيْمُ بْنُ حَمَّادٍ. حَدَّثَنَا ابْنُ الْمُبَارَكِ. حَدَّثَنَا أُسَامَةُ بْنُ زَيْدٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ عَبْدِ اللَّهِ بْنِ عَمْرٍو، عَنِ النَّبِيِّ ﷺ أَنَّهُ أَخَذَ مِنَ الْعَسَلِ الْعُشْرَ.

21 ـ بَابُ صَدَقَةِ الْفِطْرِ

1825 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ الْمِصْرِيُّ. حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَ بِزَكَاةِ الْفِطْرِ. صَاعاً مِنْ تَمْرٍ. أَوْ صَاعاً مِنْ شَعِيرٍ.

قَالَ عَبْدُ اللَّهِ: فَجَعَلَ النَّاسُ عِدْلَهُ مُدَّيْنِ مِنْ حِنْطَةٍ.

1826 ـ **حدّثنا** حَفْصُ بْنُ عُمَرَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: فَرَضَ رَسُولُ اللَّهِ ﷺ صَدَقَةَ الْفِطْرِ صَاعاً مِنْ شَعِيرٍ، أَوْ صَاعاً مِنْ تَمْرٍ عَلَى كُلِّ حُرٍّ، أَوْ عَبْدٍ، ذَكَرٍ أَوْ أُنْثَى، مِنَ الْمُسْلِمِينَ.

1827- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" enjoined the alms of (Id) Al-Fitr therewith to purify the fasting person from whatever useless talks and obscenity (he might have committed), and feed the indigent (among the people): so, whoever fulfills it before the (Id) prayer, it is then an almsgiving accepted (by Allah); and whoever fulfills it after the (Id) prayer, it is no more than an object of charity.

1828- It is narrated on the authority of Qais Ibn Sa'd that he said: The Messenger of Allah "Allah's blessing and peace be upon him" commanded us to give the alms of (Id) Al-Fitr before the obligatory charity was enjoined. But when the obligatory charity was enjoined, he neither commanded us (to give the alms of Id Al-Fitr), nor did he forbid us to do so; even though we practice it.

1829- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: As long as the Messenger of Allah "Allah's blessing and peace be upon him" was living among us, we gave the alms of (Id) Al-Fitr in the form of a Sa' of food, (such as) a Sa' of dates, a Sa' of parley, a Sa' of yogurt, or a Sa' of raisin; and we remained as such until Mu'awiyah came to Medina, and spoke to the people, and said to them, from among the things that he told them: "I do not think but that two Mudds of wheat (cultivated in) Sham are equal to a Sa' of (anyone of those four)." The people then adopted this opinion. Abu Sa'id commented: As for me, I still give it out in the same way as I used to do during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him"; (and I will keep as such) as long as I live.

1830- It is narrated on the authority of Ammar Ibn Sa'd, the Mu'adhdhin of the Messenger of Allah "Allah's blessing and peace be upon him" that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered to give out the alms of (Id) Al-Fitr in the form of a Sa' of dates, a Sa' of parley, or a Sa' of Sult (a kind of parley similar to wheat in shape).

[22] What About The One-Tenth And The Income Tax

1831- It is narrated on the authority of Al-Ala' Ibn Al-Hadrami that he said: Allah's Apostle "Allah's blessing and peace be upon him" sent me to Bahrain or to Hajar, and whenever I came upon the garden that was jointly owned by two brothers, one of whom embraced Islam, I would take only one-tenth (the yields) from him, and take the income tax from the infidel.

1827 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ أَحْمَدَ بْنِ بَشِيرِ بْنِ ذَكْوَانَ، وَأَحْمَدُ بْنُ الأَزْهَرِ. قَالاَ: حَدَّثَنَا مَرْوَانُ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو يَزِيدَ الْخَوْلاَنِيُّ، عَنْ سَيَّارِ بْنِ عَبْدِ الرَّحْمٰنِ الصَّدَفِيِّ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: فَرَضَ رَسُولُ اللَّهِ ﷺ زَكَاةَ الْفِطْرِ طُهْرَةً لِلصَّائِمِ مِنَ اللَّغْوِ وَالرَّفَثِ. وَطُعْمَةً لِلْمَسَاكِينِ. فَمَنْ أَدَّاهَا قَبْلَ الصَّلاَةِ، فَهِيَ زَكَاةٌ مَقْبُولَةٌ. وَمَنْ أَدَّاهَا بَعْدَ الصَّلاَةِ، فَهِيَ صَدَقَةٌ مِنَ الصَّدَقَاتِ.

1828 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنِ الْقَاسِمِ بْنِ مُخَيْمِرَةَ، عَنْ أَبِي عَمَّارٍ، عَنْ قَيْسِ بْنِ سَعْدٍ؛ قَالَ: أَمَرَنَا رَسُولُ اللَّهِ ﷺ بِصَدَقَةِ الْفِطْرِ قَبْلَ أَنْ تُنْزَلَ الزَّكَاةُ. فَلَمَّا نَزَلَتِ الزَّكَاةُ، لَمْ يَأْمُرْنَا، وَلَمْ يَنْهَنَا. وَنَحْنُ نَفْعَلُهُ.

1829 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ دَاوُدَ بْنِ قَيْسٍ الْفَرَّاءِ، عَنْ عِيَاضِ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي سَرْحٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: كُنَّا نُخْرِجُ زَكَاةَ الْفِطْرِ إِذَا كَانَ فِينَا رَسُولُ اللَّهِ ﷺ، صَاعاً مِنْ طَعَامٍ، صَاعاً مِنْ تَمْرٍ، صَاعاً مِنْ شَعِيرٍ، صَاعاً مِنْ أَقِطٍ، صَاعاً مِنْ زَبِيبٍ. فَلَمْ نَزَلْ كَذٰلِكَ حَتَّى قَدِمَ عَلَيْنَا مُعَاوِيَةُ الْمَدِينَةَ. فَكَانَ فِيمَا كَلَّمَ بِهِ النَّاسَ أَنْ قَالَ: لاَ أَرَى مُدَّيْنِ مِنْ سَمْرَاءِ الشَّامِ إِلاَّ يَعْدِلُ صَاعاً مِنْ هٰذَا. فَأَخَذَ النَّاسُ بِذٰلِكَ.

قَالَ أَبُو سَعِيدٍ: لاَ أَزَالُ أُخْرِجُهُ كَمَا كُنْتُ أُخْرِجُهُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ، أَبَداً، مَا عِشْتُ.

1830 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ سَعْدِ بْنِ عَمَّارٍ الْمُؤَذِّنِ. حَدَّثَنَا عُمَرُ بْنُ حَفْصٍ، عَنْ عَمَّارِ بْنِ سَعْدٍ، مُؤَذِّنِ رَسُولِ اللَّهِ ﷺ، عَنْ أَبِيهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَ بِصَدَقَةِ الْفِطْرِ. صَاعاً مِنْ تَمْرٍ، أَوْ صَاعاً مِنْ شَعِيرٍ، أَوْ صَاعاً مِنْ سُلْتٍ.

22 ـ بابُ العُشْرِ والخَرَاجِ

1831 ـ **حدّثنا** الْحُسَيْنُ بْنُ جُنَيْدٍ الدَّامَغَانِيُّ. حَدَّثَنَا عَتَّابُ بْنُ زِيَادٍ الْمَرْوَزِيُّ. حَدَّثَنَا أَبُو حَمْزَةَ؛ قَالَ: سَمِعْتُ مُغِيرَةَ الأَزْدِيَّ يُحَدِّثُ عَنْ مُحَمَّدِ بْنِ زَيْدٍ، عَنْ حَيَّانَ الأَعْرَجِ، عَنِ الْعَلاَءِ بْنِ الْحَضْرَمِيِّ؛ قَالَ: بَعَثَنِي رَسُولُ اللَّهِ ﷺ إِلَى الْبَحْرَيْنِ أَوْ إِلَى هَجَرَ. فَكُنْتُ آتِي الْحَائِطَ يَكُونُ بَيْنَ الإِخْوَةِ. يُسْلِمُ أَحَدُهُمْ. فَآخُذُ مِنَ الْمُسْلِمِ الْعُشْرَ، وَمِنَ الْمُشْرِكِ الْخَرَاجَ.

[23] The Wasaq Consists Of Sixty Sa's

1832- It is narrated on the authority of Abu Sa'id Al-Khudri, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "The Wasaq consists of sixty Sa's."

1833- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The Wasaq consists of sixty Sa's."

[24] Giving The Alms To One's Kith And Kin

1834- It is narrated on the authority of Zainab, the wife of Abdullah (Ibn Mas'ud) that she said: I asked the Messenger of Allah "Allah's blessing and peace be upon him": "Is it sufficient for me (as far as almsgiving is concerned) to spend on my husband and some orphans under my guardianship?" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "You will receive a double reward for that: that of almsgiving, and that of (keeping good relation with your) kith and kin."

(...) The same is narrated on the authority of Zainab, the wife of Abdullah from Allah's Apostle "Allah's blessing and peace be upon him".

1835- It is narrated on the authority of Zainab Bint Umm Salamah from Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" commanded us to give in charity, thereupon Zainab, the wife of Abdullah (Ibn Mas'ud) said: "Is it out of my almsgiving to give in charity to my husband, and he is poor, and my nephews, and they are orphans, upon whom I spend as such and as such, and in whichever state (I spend)?" he answered in the affirmative. She was a woman of a handy craft (from which she had a good income).

[25] It Is Undesirable To Beg Others

1836- It is narrated on the authority of Hisham Ibn Urwah from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It would be better for anyone of you to take his rope, go to the mountain, bring (and then tie) a bundle of fire wood on his back, in order to sell it, and become, with the help of its price, independent (from begging others) than to ask the people who might give him or might withhold (their money) from him."

1837- It is narrated on the authority of Thawban that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Who does guarantee to do only one thing, therewith I would guarantee the Garden to him?" I said: "I do." On that the Messenger of Allah "Allah's

23 ـ بابُ الوَسْقُ سِتُّونَ صَاعاً

1832 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ الْكِنْدِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ الطَّنَافِسِيُّ، عَنْ إِدْرِيسَ الأَوْدِيِّ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ أَبِي الْبَخْتَرِيِّ، عَنْ أَبِي سَعِيدٍ. رَفَعَهُ إِلَى النَّبِيِّ ﷺ قَالَ: «**الْوَسْقُ سِتُّونَ صَاعاً**».

1833 ـ **حدّثنا** عَلِيُّ بْنُ الْمُنْذِرِ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ. حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدِ اللَّهِ، عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ وَأَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْوَسْقُ سِتُّونَ صَاعاً**».

24 ـ بابُ الصَّدَقَةِ على ذي قَرَابَةٍ

1834 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ عَمْرِو بْنِ الْحَرِثِ بْنِ الْمُصْطَلِقِ، ابْنِ أَخِي زَيْنَبَ، امْرَأَةِ عَبْدِ اللَّهِ، عَنْ زَيْنَبَ امْرَأَةِ عَبْدِ اللَّهِ؛ قَالَتْ: سَأَلْتُ رَسُولَ اللَّهِ ﷺ أَيُجْزِئُ عَنِّي مِنَ الصَّدَقَةِ النَّفَقَةُ عَلَى زَوْجِي وَأَيْتَامٍ فِي حجري؟ قَالَ رَسُولُ اللَّهِ ﷺ: «**لَهَا أَجْرَانِ: أَجْرُ الصَّدَقَةِ، وَأَجْرُ الْقَرَابَةِ**».

حدّثنا الْحَسَنُ بْنُ مُحَمَّدِ بْنِ الصَّبَّاحِ. حَدَّثَنَا أَبُو مُعَاوِيَةَ. حَدَّثَنَا الأَعْمَشُ، عَنْ شَقِيقٍ، عَنْ عَمْرِو بْنِ الْحَرِثِ، ابْنِ أَخِي زَيْنَبَ، عَنْ زَيْنَبَ امْرَأَةِ عَبْدِ اللَّهِ، عَنِ النَّبِيِّ ﷺ، نَحْوَهُ.

1835 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَى بْنُ آدَمَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ، عَنْ أُمِّ سَلَمَةَ؛ قَالَتْ: أَمَرَنَا رَسُولُ اللَّهِ ﷺ بِالصَّدَقَةِ. فَقَالَتْ زَيْنَبُ امْرَأَةُ عَبْدِ اللَّهِ: أَيُجْزِينِي مِنَ الصَّدَقَةِ أَنْ أَتَصَدَّقَ عَلَى زَوْجِي وَهُوَ فَقِيرٌ، وَبَنِي أَخٍ لِي، أَيْتَامٍ. وَأَنَا أُنْفِقُ عَلَيْهِمْ هٰكَذَا وَهٰكَذَا، وَعَلَى كُلِّ حَالٍ؟ قَالَ: قَالَ: «**نَعَمْ**». **قَالَ: وَكَانَتْ صَنَاعَ الْيَدَيْنِ**.

25 ـ بابُ كَرَاهِيَةِ المَسْأَلَةِ

1836 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ وَعَمْرُو بْنُ عَبْدِ اللَّهِ الأَوْدِيُّ. قَالاَ: حَدَّثَنَا وَكِيعٌ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لأَنْ يَأْخُذَ أَحَدُكُمْ أَحْبُلَهُ فَيَأْتِيَ الْجَبَلَ، فَيَجِيءَ بِحُزْمَةِ حَطَبٍ عَلَى ظَهْرِهِ فَيَبِيعَهَا، فَيَسْتَغْنِيَ بِثَمَنِهَا؛ خَيْرٌ لَهُ مِنْ أَنْ يَسْأَلَ النَّاسَ أَعْطَوْهُ أَوْ مَنَعُوهُ**».

1837 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنْ مُحَمَّدِ بْنِ قَيْسٍ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ، عَنْ ثَوْبَانَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**وَمَنْ يَتَقَبَّلْ لِي بِوَاحِدَةٍ أَتَقَبَّلْ لَهُ بِالْجَنَّةِ؟**» قُلْتُ: أَنَا. قَالَ: «**لاَ تَسْأَلِ النَّاسَ شَيْئاً**».

قَالَ، فَكَانَ ثَوْبَانُ يَقَعُ سَوْطُهُ، وَهُوَ رَاكِبٌ، فَلاَ يَقُولُ لأَحَدٍ: نَاوِلْنِيهِ. حَتَّى يَنْزِلَ فَيَأْخُذَهُ.

blessing and peace be upon him" said: "Do not ask the people (to give you) anything." However, Thawban (kept on practicing this habit to the extent that whenever) his whip fell down to the ground, while he was riding, he would not ask anyone to bring it back to him, and rather he would dismount and bring it (by himself).

[26] When One Begs Others While He Is Not In Want

1838- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever begs others so much pressingly (to give him) from their property in order to increase his wealth, has, indeed, asked for pieces of the fire of Hell: let him then ask for less (if he so likes) or more of it (if he so likes)!"

1839- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(Taking) charity is unlawful for him who is rich, nor is it for a person of power and good health."

1840- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who begs others (to give him) and he has what makes him independent, his begging would come on the Day of Judgement in the form of slashes, scores , or wounds in his face." It was said: "O Messenger of Allah! How much (money) could make one independent?" he said: "Fifty Dirhams, or gold of equal value." A man said to Sufyan: Shu'bah does not relate that from Hakim Ibn Jubair. Sufyan replied: Zubaid related it to us from Muhammad Ibn Abd Ar-Rahman Ibn Yazid.

[27] For Whom Could The Alms Be Lawful

1841- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The almsgiving is unlawful for an independent person (to take it) except in five cases: for him who works to administer it, for him who fights in the Cause of Allah, for a rich one who buys it with his own property, for a (companion of a) poor one, who is given it as charity, and he, in turn, gives it to (his companion who is) independent, and for him who is in debt."

[28] The Excellence Of Almsgiving

1842- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No person gives anything in charity from what is good and lawful, and Allah never accepts but what is good and lawful, except that (Allah) Most

26 ـ باب مَنْ سَأَلَ عَنْ ظَهْرِ غِنًى

1838 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ عُمَارَةَ بْنِ الْقَعْقَاعِ، عَنْ أَبِي زُرْعَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ سَأَلَ النَّاسَ أَمْوَالَهُمْ تَكَثُّراً، فَإِنَّمَا يَسْأَلُ جَمْرَ جَهَنَّمَ. فَلْيَسْتَقِلَّ مِنْهُ أَوْ لِيُكْثِرْ»**.

1839 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ أَبِي حُصَيْنٍ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَحِلُّ الصَّدَقَةُ لِغَنِيٍّ، وَلاَ لِذِي مِرَّةٍ سَوِيٍّ»**.

1840 ـ **حدّثنا** الْحَسَنُ بْنُ عَلِيٍّ الْخَلاَّلُ. حَدَّثَنَا يَحْيَى بْنُ آدَمَ. حَدَّثَنَا سُفْيَانُ، عَنْ حَكِيمِ بْنِ جُبَيْرٍ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ سَأَلَ، وَلَهُ مَا يُغْنِيهِ، جَاءَتْ مَسْأَلَتُهُ يَوْمَ الْقِيَامَةِ خُدُوشاً أَوْ خُمُوشاً أَوْ كُدُوحاً فِي وَجْهِهِ»** قِيلَ: يَا رَسُولَ اللَّهِ وَمَا يُغْنِيهِ؟ قَالَ: **«خَمْسُونَ دِرْهَماً، أَوْ قِيمَتُهَا مِنَ الذَّهَبِ»**.

فَقَالَ رَجُلٌ لِسُفْيَانَ: إِنَّ شُعْبَةَ لاَ يُحَدِّثُ عَنْ حَكِيمِ بْنِ جُبَيْرٍ. فَقَالَ سُفْيَانُ: قَدْ حَدَّثَنَاهُ زُبَيْدٌ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ.

27 ـ بابُ مَنْ تَحِلُّ لَهُ الصَّدَقَةُ

1841 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا مَعْمَرٌ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَحِلُّ الصَّدَقَةُ لِغَنِيٍّ إِلاَّ لِخَمْسَةٍ: لِعَامِلٍ عَلَيْهَا، أَوْ لِغَازٍ فِي سَبِيلِ اللَّهِ، أَوْ لِغَنِيٍّ اشْتَرَاهَا بِمَالِهِ، أَوْ فَقِيرٍ تُصُدِّقَ عَلَيْهِ فَأَهْدَاهَا لِغَنِيٍّ، أَوْ غَارِمٍ»**.

28 ـ بابُ فَضْلِ الصَّدَقَةِ

1842 ـ **حدّثنا** عِيسَى بْنُ حَمَّادٍ الْمِصْرِيُّ، أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ الْمَقْبُرِيِّ، عَنْ سَعِيدِ بْنِ يَسَارٍ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا تَصَدَّقَ أَحَدٌ بِصَدَقَةٍ مِنْ طَيِّبٍ، وَلاَ يَقْبَلُ اللَّهُ إِلاَّ الطَّيِّبَ، إِلاَّ أَخَذَهَا الرَّحْمٰنُ بِيَمِينِهِ وَإِنْ كَانَتْ تَمْرَةً. فَتَرْبُو فِي كَفِّ الرَّحْمٰنِ حَتَّى تَكُونَ أَعْظَمَ مِنَ الْجَبَلِ. وَيُرَبِّيهَا لَهُ كَمَا يُرَبِّي أَحَدُكُمْ فَلُوَّهُ أَوْ فَصِيلَهُ»**.

Gracious takes it in His right (hand), and even if it is a single date, (the reward of) it will grow in the Hand of (Allah) Most Gracious "Blessed and Exalted be He", until it will become much greater (in size) than a mountain: He (Almighty) brings it up for him in the same way as anyone of you brings up his baby horse."

1843- It is narrated on the authority of Adi Ibn Hatim that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no one of you but that his Lord will speak to him (on the Day of Judgement), with no interpreter between them: he will look in front of him where the fire will face him; and he will look to his right, and find but a thing he has sent forward before him; and he will look to his left and find but a thing he has sent forward before him: so, if anyone of you could safeguard himself (from the fire of Hell) with (giving in charity even as little as) half a date, let him do!"

1844- It is narrated on the authority of Salman Ibn Amir Ad-Dabbi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The alms given to an indigent is (rewardable for being object of) charity; and such as given to one's kith and kin has a double (reward for being) charity and (a cause of) keeping good relation (with one's kinship)."

1843 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا الأَعْمَشُ، عَنْ خَيْثَمَةَ، عَنْ عَدِيِّ بْنِ حَاتِمٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا مِنْكُمْ مِنْ أَحَدٍ إِلاَّ سَيُكَلِّمُهُ رَبُّهُ. لَيْسَ بَيْنَهُ وَبَيْنَهُ تَرْجُمَانٌ. فَيَنْظُرُ أَمَامَهُ فَتَسْتَقْبِلُهُ النَّارُ. وَيَنْظُرُ عَنْ أَيْمَنَ مِنْهُ فَلاَ يَرَى إِلاَّ شَيْئاً قَدَّمَهُ. وَيَنْظُرُ عَنْ أَشْأَمَ مِنْهُ فَلاَ يَرَى إِلاَّ شَيْئاً قَدَّمَهُ. فَمَنِ اسْتَطَاعَ مِنْكُمْ أَنْ يَتَّقِيَ النَّارَ وَلَوْ بِشِقِّ تَمْرَةٍ، فَلْيَفْعَلْ»**.

1844 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ، عَنِ ابْنِ عَوْنٍ، عَنْ حَفْصَةَ بِنْتِ سِيرِينَ، عَنِ الرَّبَابِ أُمِّ الرَّائِحِ بِنْتِ صُلَيْعٍ. عَنْ سَلْمَانَ بْنِ عَامِرٍ الضَّبِّيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الصَّدَقَةُ عَلَى الْمِسْكِينِ صَدَقَةٌ، وَعَلَى ذِي الْقَرَابَةِ اثْنَتَانِ: صَدَقَةٌ وَصِلَةٌ»**.

(9) THE BOOK OF MARRIAGE

[1] The Excellence Of Marriage

1845- It is narrated on the authority of Alqamah Ibn Qais that he said: I was in the company of Abdullah Ibn Mas'ud at Mina when Uthman sat alone with him, and I sat close to him. Uthman said to him: "Do you like that I would make you marry a virgin so that she would remind you of some of your (youth and power that) have elapsed?" When Abdullah saw that he (Uthman) had no need (from sitting with him alone) other than that (which he offered to him), he beckoned to me with his hand; and I came while he was saying (to Uthman): "No doubt, you've said what the Messenger of Allah "Allah's blessing and peace be upon him" had said: "O community of young men! Whoever of you could have the therewithal, let him get married: verily, it is much more ready to make one lower his sight (from looking at women), and safeguard his private parts (from committing fornication); and whoever could not, let him observe fasts, for it (fasting) diminishes his sexual power.""

1846- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Marriage is out of my sunnah: so, whoever does not act upon my sunnah does not belong to me. You should get yourselves married, for I'm going to vie in glory of your great number with the other nations (on the Day of Judgement); and whoever has the therewithal, let him marry; and whoever has not, let him observe fasts, for fasting diminishes his sexual power."

1847- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "We do not think there is anything but marriage (to make lawful and permanent the love) for such (male and female) as love one another."

[2] It Is Forbidden To Live In Celibacy

1848- It is narrated on the authority of Sa'd that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Uthman Ibn Maz'un to live in celibacy, and had he given him permission (to do so), surely, we would have got ourselves castrated.

1849- It is narrated on the authority of Samurah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade to live in celibacy. Zaid Ibn Akhzam added in his narration: Qatadah recited (in confirmation to that): "We did send Messengers before you, and appointed for them wives and children." (Ar-Ra'd 38)

9 ـ كِتَابُ النِّكَاحِ

1 ـ بابُ ما جَاءَ في فَضْلِ النِّكَاحِ

1845 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ عَامِرِ بْنِ زُرَارَةَ. حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ بْنِ قَيْسٍ؛ قَالَ: كُنْتُ مَعَ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ بِمِنًى. فَخَلاَ بِهِ عُثْمَانُ. فَجَلَسْتُ قَرِيباً مِنْهُ. فَقَالَ لَهُ عُثْمَانُ: هَلْ لَكَ أَنْ أُزَوِّجَكَ جَارِيَةً بِكْراً تُذَكِّرُكَ مِنْ نَفْسِكَ بَعْضَ مَا قَدْ مَضَى؟ فَلَمَّا رَأَى عَبْدُ اللَّهِ أَنَّهُ لَيْسَ لَهُ حَاجَةٌ سِوَى هٰذَا، أَشَارَ إِلَيَّ بِيَدِهِ. فَجِئْتُ وَهُوَ يَقُولُ: لَئِنْ قُلْتَ ذٰلِكَ، لَقَدْ قَالَ رَسُولُ اللَّهِ ﷺ: **«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ. فَإِنَّهُ أَغَضُّ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ. وَمَنْ لَمْ يَسْتَطِعْ، فَعَلَيْهِ بِالصَّوْمِ، فَإِنَّهُ لَهُ وِجَاءٌ»**.

1846 ـ **حدّثنا** أَحْمَدُ بْنُ الأَزْهَرِ. حَدَّثَنَا آدَمُ. حَدَّثَنَا عِيسَى بْنُ مَيْمُونٍ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«النِّكَاحُ مِنْ سُنَّتِي. فَمَنْ لَمْ يَعْمَلْ بِسُنَّتِي فَلَيْسَ مِنِّي. وَتَزَوَّجُوا، فَإِنِّي مُكَاثِرٌ بِكُمُ الأُمَمَ. وَمَنْ كَانَ ذَا طَوْلٍ فَلْيَنْكِحْ وَمَنْ لَمْ يَجِدْ فَعَلَيْهِ بِالصِّيَامِ. فَإِنَّ الصَّوْمَ لَهُ وِجَاءٌ»**.

1847 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا سَعِيدُ بْنُ سُلَيْمَانَ. حَدَّثَنَا مُحَمَّدُ بْنُ مُسْلِمٍ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ مَيْسَرَةَ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَمْ نَرَ (يُرَ) لِلْمُتَحَابَّيْنِ مِثْلُ النِّكَاحِ»**.

2 ـ بابُ النَّهْيِ عَنِ التَّبَتُّلِ

1848 ـ **حدّثنا** أَبُو مَرْوَانَ مُحَمَّدُ بْنُ عُثْمَانَ الْعُثْمَانِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ سَعْدٍ؛ قَالَ: لَقَدْ رَدَّ رَسُولُ اللَّهِ ﷺ عَلَى عُثْمَانَ بْنِ مَظْعُونٍ التَّبَتُّلَ. وَلَوْ أَذِنَ لَهُ، لاخْتَصَيْنَا.

1849 ـ **حدّثنا** بِشْرُ بْنُ آدَمَ وَزَيْدُ بْنُ أَخْزَمَ. قَالاَ: حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ. حَدَّثَنَا أَبِي عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، عَنْ سَمُرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ التَّبَتُّلِ.

زَادَ زَيْدُ بْنُ أَخْزَمَ: وَقَرَأَ قَتَادَةُ: ﴿وَلَقَدْ أَرْسَلْنَا رُسُلًا مِّن قَبْلِكَ وَجَعَلْنَا لَهُمْ أَزْوَاجًا وَذُرِّيَّةً﴾ [الرعد: 38].

[3] The Woman's Right Upon Her Husband

1850- It is narrated on the authority of Hakim Ibn Mu'awiyah from his father that a man asked the Messenger of Allah "Allah's blessing and peace be upon him": "What is the right of a woman upon her husband?" he said: "It is that he should feed her once he eats, bring her clothes once he gets clothes, and he should not slap her face, nor should he attribute to ugliness her words and deeds, nor should he abandon her except inside the house."

1851- It is narrated on the authority of Sulaiman Ibn Amr Ibn Al-Ahwas from his father that he attended the Farewell Hajj with the Messenger of Allah "Allah's blessing and peace be upon him", (in whose sermon) he praised and lauded Allah Almighty, reminded (the people of their duties towards Allah) and admonished (them), and then he said: "You should accept my advice to deal kindly with women: they are as captives in your houses; and you have nothing to do with them other than that (marriage therewith they become lawful for you to have sexual intercourse with them) except in case they commit an evident shameful deed: if they do that, abandon them in the bed, and strike them but not severely; and if they obey you, you should not transgress the due bounds in harming them. You have a right upon your women, as well as your women have a right upon you: as for your right upon your women, it is that they should not make such as you dislike sleep in your beds (i.e. they should not commit fornication), nor should they admit in your houses such as you dislike; and as for their right upon you, it is that you should be kind to them as far as providing them with clothes and food is concerned."

[4] The Husband's Right Upon His Wife

1852- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Had I to order a person to fall in prostration to anyone else (other than Allah), surely, I would have ordered the woman to fall in prostration to her husband; and if a man orders his wife to move (stones and sand) from a red mountain (or sandhill) to a black mountain (or sandhill), or from a black mountain (or sandhill) to a red mountain (or sandhill), she should be completely sure to do so."

1853- It is narrated on the authority of Abdullah Ibn Abu Awfa that he said: When Mu'adh Ibn Jabal came from Sham, he fell in prostration to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to

3 ـ بابُ حَقِّ المَرْأَةِ على الزَّوْجِ

1850 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيد بْنُ هَارُونَ، عَنْ شُعْبَةَ، عَنْ أَبِي قَزَعَةَ، عَنْ حَكِيمِ بْنِ مُعَاوِيَةَ، عَنْ أَبِيهِ؛ أَنَّ رَجُلاً سَأَلَ النَّبِيَّ ﷺ: مَا حَقُّ الْمَرْأَةِ عَلَى الزَّوْجِ؟ قَالَ: «**أَنْ يُطْعِمَهَا إِذَا طَعِمَ. وَأَنْ يَكْسُوَهَا إِذَا اكْتَسَى. وَلاَ يَضْرِبِ الْوَجْهَ. وَلاَ يُقَبِّحْ. وَلاَ يَهْجُرْ إِلاَّ فِي الْبَيْتِ**».

1851 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا الْحُسَيْنُ بْنُ عَلِيٍّ، عَنْ زَائِدَةَ، عَنْ شَبِيبِ بْنِ غَرْقَدَةَ الْبَارِقِيِّ، عَنْ سُلَيْمَانَ بْنِ عَمْرِو بْنِ الأَحْوَصِ. حَدَّثَنِي أَبِي أَنَّهُ شَهِدَ حِجَّةَ الْوَدَاعِ مَعَ رَسُولِ اللَّهِ ﷺ. فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ، وَذَكَّرَ وَوَعَظَ، ثُمَّ قَالَ: «**اسْتَوْصُوا بِالنِّسَاءِ خَيراً فَإِنَّهُنَّ عِنْدَكُمْ عَوَانٍ. لَيسَ تَمْلِكُونَ مِنْهُنَّ شَيْئاً غَيرَ ذٰلِكَ. إِلاَّ أَنْ يَأْتِينَ بِفَاحِشَةٍ مُبَيِّنَةٍ. فَإِنْ فَعَلْنَ فَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاضْرِبُوهُنَّ ضَرْباً غَيرَ مُبَرِّحٍ. فَإِنْ أَطَعْنَكُمْ فَلاَ تَبْغُوا عَلَيْهِنَّ سَبِيلاً. إِنَّ لَكُمْ مِنْ نِسَائِكُمْ حقًّا وَلِنِسَائِكُمْ عَلَيْكُمْ حَقًّا. فَأَمَّا حَقُّكُمْ عَلَى نِسَائِكُمْ، فَلاَ يُوطِئْنَ فُرُشَكُمْ مَنْ تَكْرَهُونَ. وَلاَ يَأْذَنَّ فِي بُيُوتِكُمْ لِمَنْ تَكْرَهُونَ. أَلاَ، وَحَقُّهُنَّ عَلَيْكُمْ أَنْ تُحْسِنُوا إِلَيْهِنَّ فِي كِسْوَتِهِنَّ وَطَعَامِهِنَّ**».

4 ـ بابُ حَقِّ الزَّوْجِ على المَرْأَةِ

1852 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَفَّانُ. حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ عَلِيِّ بْنِ زَيْدِ بْنِ جَدْعَانَ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لَوْ أَمَرْتُ أَحداً أَنْ يَسْجُدَ لِأَحَدٍ، لأَمَرْتُ الْمَرْأَةَ أَنْ تَسْجُدَ لِزَوْجِهَا. وَلَوْ أَنَّ رَجُلاً أَمَرَ امْرَأَةً أَنْ تَنْقُلَ مِنْ جَبَلِ أَحْمَرَ إِلَى جَبَلِ أَسْوَدَ، وَمِنْ جَبَلِ أَسْوَدَ إِلَى جَبَلِ أَحْمَرَ، لَكَانَ نَوْلُهَا أَنْ تَفْعَلَ**».

1853 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ أَيُّوبَ، عَنِ الْقَاسِمِ الشَّيْبَانِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى؛ قَالَ: لَمَّا قَدِمَ مُعَاذٌ مِنَ الشَّامِ سَجَدَ لِلنَّبِيِّ ﷺ. قَالَ: «**مَا هٰذَا يَا مُعَاذُ؟**» قَالَ: أَتَيْتُ الشَّامَ فَوَافَقْتُهُمْ يَسْجُدُونَ لأَسَاقِفَتِهِمْ وَبَطَارِقَتِهِمْ. فَوَدِدْتُ فِي نَفْسِي أَنْ نَفْعَلَ ذٰلِكَ بِكَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**فَلاَ**

him: "What is that O Mu'adh?" he said: "I went to Sham, and found them (on the habit of) falling in prostration to their bishops and rulers. So, I hoped in myself that we should do the same with you." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not do so: indeed, were I to order a person to fall in prostration to anyone other than Allah, I would have ordered the woman to fall in prostration to her husband. By Him, in Whose Hand is the soul of Muhammad! The woman will not fulfill the right of her Lord (perfectly) unless she fulfills the right of her husband (upon her); and if her husband asks her for herself (i.e. to have sexual relation with her in whichever state she is, even though) while sitting on a saddle (of a mount), she should not prevent him (to do so, no matter troublesome for her it might be)."

1854- It is narrated on the authority of Umm Salamah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "If a woman died, while her husband is well-pleased with her, she would be admitted to the Garden."

[5] The Most Excellent Women

1855- It is narrated on the authority of Abdullah Ibn Amr that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the (life of this) world is (not) but goods and chattels; and there is nothing from amongst the goods and chattels of this world more excellent than the good pious woman (wife)."

1856- It is narrated on the authority of Thawban that he said: When it was revealed in connection with silver and gold that which was revealed (i.e. Allah's saying: "And there are those who bury gold and silver and spend it not in the Way of Allah: announce unto them a most grievous penalty" (At-Tawbah 34)) the people wondered: "Then, which property should we take?" Umar said: "Let me investigate the matter for you." He made quick (the pace of) his camel until he joined the Messenger of Allah "Allah's blessing and peace be upon him" while I was following him, and said to him: "O Messenger of Allah! Which property should we take?" He said: "Let anyone of you take a heart therewith to give thanks (to Allah), a tongue that is (running with the) celebration (of Allah), and a believing wife that helps anyone of you carry on the affairs of the hereafter!"

1857- It is narrated on the authority of Abu Umamah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The faithful believer never benefits from anything after god-fearingness much more

تَفْعَلُوا. فَإِنِّي لَوْ كُنْتُ آمِراً أَحَداً أَنْ يَسْجُدَ لِغَيْرِ اللَّهِ، لأَمَرْتُ الْمَرْأَةَ أَنْ تَسْجُدَ لِزَوْجِهَا. وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ لاَ تُؤَدِّي الْمَرْأَةُ حَقَّ رَبِّهَا حَتَّى تُؤَدِّيَ حَقَّ زَوْجِهَا وَلَوْ سَأَلَهَا نَفْسَهَا، وَهِيَ عَلَى قَتَبٍ، لَمْ تَمْنَعْهُ».

1854 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ أَبِي نَصْرٍ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ مُسَاوِرٍ الْحِمْيَرِيِّ، عَنْ أُمِّهِ: قَالَتْ: سَمِعْتُ أُمَّ سَلَمَةَ تَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**أَيُّمَا امْرَأَةٍ مَاتَتْ، وَزَوْجُهَا عَنْهَا رَاضٍ، دَخَلَتِ الْجَنَّةَ**».

5 ـ بابُ أَفْضَلِ النِّسَاءِ

1855 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عِيسَى بْنُ يُونُسَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ زِيَادِ بْنِ أَنْعُمٍ، عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِنَّمَا الدُّنْيَا مَتَاعٌ. وَلَيْسَ مِنْ مَتَاعِ الدُّنْيَا شَيْءٌ أَفْضَلَ مِنَ الْمَرْأَةِ الصَّالِحَةِ**».

1856 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ سَمُرَةَ. حَدَّثَنَا وَكِيعٌ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرِو بْنِ مُرَّةَ، عَنْ أَبِيهِ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ، عَنْ ثَوْبَانَ؛ قَالَ: لَمَّا نَزَلَ فِي الْفِضَّةِ وَالذَّهَبِ مَا نَزَلَ، قَالُوا: فَأَيَّ الْمَالِ نَتَّخِذُ؟ قَالَ عُمَرُ: فَأَنَا أَعْلَمُ لَكُمْ ذٰلِكَ. فَأَوْضَعَ عَلَى بَعِيرِهِ. فَأَدْرَكَ النَّبِيَّ ﷺ، وَأَنَا فِي أَثَرِهِ فَقَالَ: يَا رَسُولَ اللَّهِ أَيَّ الْمَالِ نَتَّخِذُ؟ فَقَالَ: «**لِيَتَّخِذْ أَحَدُكُمْ قَلْباً شَاكِراً، وَلِسَاناً ذَاكِراً، وَزَوْجَةً مُؤْمِنَةً، تُعِينُ أَحَدَكُمْ عَلَى أَمْرِ الآخِرَةِ**».

1857 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا صَدَقَةُ بْنُ خَالِدٍ. حَدَّثَنَا عُثْمَانُ بْنُ أَبِي الْعَاتِكَةِ، عَنْ عَلِيِّ بْنِ يَزِيدَ، عَنِ الْقَاسِمِ، عَنْ أَبِي أُمَامَةَ، عَنِ النَّبِيِّ ﷺ أَنَّهُ كَانَ يَقُولُ: «**مَا اسْتَفَادَ الْمُؤْمِنُ، بَعْدَ تَقْوَى اللَّهِ، خَيْراً لَهُ مِنْ زَوْجَةٍ صَالِحَةٍ. إِنْ أَمَرَهَا أَطَاعَتْهُ. وَإِنْ نَظَرَ إِلَيْهَا سَرَّتْهُ. وَإِنْ أَقْسَمَ عَلَيْهَا أَبَرَّتْهُ. وَإِنْ غَابَ عَنْهَا نَصَحَتْهُ فِي نَفْسِهَا وَمَالِهِ**».

than a good pious wife: if he orders her, she will obey him; if he looks at her, she will please him (with her beauty, good conduct, righteousness); if he takes an oath on (anything pertaining to) her, she will fulfill his oath; and if he is absent, she will become sincere to him in both herself and his property."

[6] Marrying The Women Of Religion

1858- It is narrated on the authority of Abu Hurairah: The Prophet "Allah's blessing and peace be upon him" said: "A woman is married for four things: her wealth, her family status, her beauty and her religion. You should marry the religious woman (lest) your hand be covered with dust (i.e. you will be a loser)."

1859- It is narrated on the authority of Abdullah Ibn Amr that he said: "Do not marry women only for their beauty: it may be that their beauty would lead to their perdition, nor should you marry them only for their property: perchance their property would cause them to be arrogant: but you should marry women only for their religion; and indeed, perhaps a slave-girl, with her nose cut off partially, and ears matched is better (for you than a girl whose prettiness or richness might appeal you)."

Comment: (This is the interpretation of Allah's saying: "Do not marry unbelieving women until they believe: a slave woman who believes is better than an unbelieving woman. Even though she allure you. Nor marry (your girls) to Unbelievers until they believe: a slave man who believes is better than an Unbeliever even though he allure you." (Al-Baqarah 221))

[7] Marrying The Virgins

1860- It is narrated on the authority of Jabir Ibn Abdullah that he said: I got married to a (previously married) woman, and when I met the Messenger of Allah "Allah's blessing and peace be upon him" he asked: "Have you got married O Jabir?" I answered in the affirmative, thereupon he said: "A virgin or a matron?" I said: "A matron." He said: "Have you not got married to a virgin so that she would play with you (and you with her)?" I said: "I have many sisters, and I feared she would (sow hatred and resentment) between me and them." On that he said: "It is for that purpose then (that you've married a matron)!"

1861- It is narrated on the authority of Abd Ar-Rahman Ibn Salim Ibn Utbah Ibn Uwain Ibn Sa'idah Al-Ansari from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "I advise you to marry the virgins, for they are sweeter in speech (and saliva), more fertile (and fitting for giving birth), and more ready to be satisfied with the least (requirements of living)."

6 ـ بابُ تَزْوِيجِ ذَاتِ الدِّينِ

1858 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**تُنْكَحُ النِّسَاءُ لِأَرْبَعٍ: لِمَالِهَا، وَلِحَسَبِهَا، وَلِجَمَالِهَا، وَلِدِينِهَا. فَاظْفَرْ بِذَاتِ الدِّينِ، تَرِبَتْ يَدَاكَ**».

1859 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ الْمُحَارِبِيُّ وَجَعْفَرُ بْنُ عَوْنٍ، عَنِ الأَفْرِيقِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَزَوَّجُوا النِّسَاءَ لِحُسْنِهِنَّ. فَعَسَى حُسْنُهُنَّ أَنْ يُرْدِيَهُنَّ. وَلاَ تَزَوَّجُوهُنَّ لِأَمْوَالِهِنَّ. فَعَسَى أَمْوَالُهُنَّ أَنْ تُطْغِيَهُنَّ. وَلٰكِنْ تَزَوَّجُوهُنَّ عَلَى الدِّينِ. وَلأَمَةٌ خَرْمَاءُ سَوْدَاءُ ذَاتُ دِينٍ، أَفْضَلُ**».

7 ـ بابُ تَزْوِيجِ الأَبْكَارِ

1860 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: تَزَوَّجْتُ امْرَأَةً عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ. فَلَقِيتُ رَسُولَ اللَّهِ ﷺ فَقَالَ: «**أَتَزَوَّجْتَ يَا جَابِرُ؟**» قُلْتُ: نَعَمْ. قَالَ: «**أَبِكْراً أَوْ ثَيِّباً؟**» قُلْتُ: ثَيِّباً. قَالَ: «**فَهَلاَّ بِكْراً تُلاَعِبُهَا؟**» قُلْتُ: كُنَّ لِي أَخَوَاتٌ. فَخَشِيتُ أَنْ تَدْخُلَ بَيْنِي وَبَيْنَهُنَّ. قَالَ: «**فَذَاكَ إِذَنْ**».

1861 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ طَلْحَةَ التَّيْمِيُّ. حَدَّثَنِي عَبْدُ الرَّحْمٰنِ بْنُ سَالِمِ بْنِ عُتْبَةَ بْنِ عُوَيْمِ بْنِ سَاعِدَةَ الأَنْصَارِيُّ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**عَلَيْكُمْ بِالأَبْكَارِ. فَإِنَّهُنَّ أَعْذَبُ أَفْوَاهاً، وَأَنْتَقُ أَرْحَاماً، وَأَرْضَى بِالْيَسِيرِ**».

[8] Marrying The Free Women And Those Who Are Ready To Give Birth

1862- It is narrated on the authority of Anas Ibn Malik that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who likes to meet Allah as clean and purified, let him get married to the free women!"

1863- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Get yourselves married (to the women who are too fertile to give birth to more children), for I'm going to vie in glory (with the other nations) because of your great number."

[9] Catching A Glimpse Of The Woman Whom One Likes To Marry

1864- It is narrated on the authority of Muhammad Ibn Salamah that he said: I engaged a woman, and I tried to hide myself for (being able to see) her, until I could have managed to catch a glimpse of her in a (garden of) date-palms belonging to her. It was said to him: Do you do so, even though you are one of the companions of the Messenger of Allah "Allah's blessing and peace be upon him"? He said: No doubt, I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "If Allah places in the heart of a man (the desire for) engaging a woman, there is no harm on him to catch a glimpse of her."

1865- It is narrated on the authority of Anas Ibn Malik that Al-Mughirah Ibn Shu'bah wanted to get engaged to a woman, and he made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him" who said to him: "Go and have a glimpse of her, for this is more fitting to place affection between you." He did accordingly, and he got married to her, and mentioned her agreement (in appearance and character with him).

1866- It is narrated on the authority of Al-Mughirah Ibn Shu'bah that he said: I went to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention to him of a woman whom I liked to betroth, thereupon he said to me: "Go and have a glimpse of her, for this is more (fitting) to place affection between you." I went to the house of a woman from amongst the Ansar, and demanded her hand from her parents, and told them of the statement of the Messenger of Allah "Allah's blessing and peace be upon him", but they seemed as if they disliked that. The woman heard that while being in her screen, and she said: "If the Messenger of Allah "Allah's blessing and peace be upon him" has ordered you to do so, then, you could have a glimpse (of me) otherwise, I beseech you (by Allah

8 ـ بابُ تَزْوِيجِ الحَرَائِرِ والوَلُودِ

1862 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سَلاَّمُ بْنُ سَوَّارٍ. حَدَّثَنَا كَثِيرُ بْنُ سَلِيمٍ، عَنِ الضَّحَّاكِ بْنِ مُزَاحِمٍ؛ قَالَ: سَمِعْتُ أَنَسَ بْنَ مَالِكٍ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ أَرَادَ أَنْ يَلْقَى اللَّهَ طَاهِراً مُطَهَّراً، فَلْيَتَزَوَّجِ الْحَرَائِرَ**».

1863 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْحَرِثِ الْمَخْزُومِيُّ، عَنْ طَلْحَةَ، عَنْ عَطَاءٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**انْكِحُوا. فَإِنِّي مُكَاثِرٌ بِكُمْ**».

9 ـ بابُ النَّظَرِ إلى المَرْأَةِ إذا أَرَادَ أَنْ يَتَزَوَّجَهَا

1864 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ حَجَّاجٍ، عَنْ مُحَمَّدِ بْنِ سُلَيْمَانَ، عَنْ عَمِّهِ سَهْلِ بْنِ أَبِي حَثْمَةَ، عَنْ مُحَمَّدِ بْنِ سَلَمَةَ؛ قَالَ: خَطَبْتُ امْرَأَةً. فَجَعَلْتُ أَتَخَبَّأُ لَهَا، حَتَّى نَظَرْتُ إِلَيْهَا فِي نَخْلٍ لَهَا. فَقِيلَ لَهُ: أَتَفْعَلُ هٰذَا وَأَنْتَ صَاحِبُ رَسُولِ اللَّهِ ﷺ؟ فَقَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِذَا أَلْقَى اللَّهُ فِي قَلْبِ امْرِىءٍ خِطْبَةَ امْرَأَةٍ، فَلاَ بَأْسَ أَنْ يَنْظُرَ إِلَيْهَا**».

1865 ـ **حدّثنا** الْحَسَنُ بْنُ عَلِيٍّ الْخَلاَّلُ، وَزُهَيْرُ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ. قَالُوا: حَدَّثَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ ثَابِتٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ الْمُغِيرَةَ بْنَ شُعْبَةَ أَرَادَ أَنْ يَتَزَوَّجَ امْرَأَةً. فَقَالَ لَهُ النَّبِيُّ ﷺ: «**اذْهَبْ فَانْظُرْ إِلَيْهَا. فَإِنَّهُ أَحْرَى أَنْ يُؤْدَمَ بَيْنَكُمَا**» فَفَعَلَ. فَتَزَوَّجَهَا. فَذَكَرَ مِنْ مُوَافَقَتِهَا.

1866 ـ **حدّثنا** الْحَسَنُ بْنُ أَبِي الرَّبِيعِ. أَنْبَأَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ ثَابِتٍ الْبُنَانِيِّ، عَنْ بَكْرِ بْنِ عَبْدِ اللَّهِ الْمُزَنِيِّ، عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ؛ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ، فَذَكَرْتُ لَهُ امْرَأَةً أَخْطُبُهَا فَقَالَ: «**اذْهَبْ فَانْظُرْ إِلَيْهَا. فَإِنَّهُ أَجْدَرُ أَنْ يُؤْدَمَ بَيْنَكُمَا**» فَأَتَيْتُ امْرَأَةً مِنَ الأَنْصَارِ. فَخَطَبْتُهَا إِلَى أَبَوَيْهَا. وَأَخْبَرْتُهُمَا بِقَوْلِ النَّبِيِّ ﷺ. فَكَأَنَّهُمَا كَرِهَا ذٰلِكَ. قَالَ: فَسَمِعَتْ ذٰلِكَ الْمَرْأَةُ، وَهِيَ فِي خِدْرِهَا، فَقَالَتْ: إِنْ كَانَ رَسُولُ اللَّهِ ﷺ أَمَرَكَ أَنْ تَنْظُرَ، فَانْظُرْ. وَإِلاَّ فَأَنْشُدُكَ. كَأَنَّهَا أَعْظَمَتْ ذٰلِكَ. قَالَ فَنَظَرْتُ إِلَيْهَا فَتَزَوَّجْتُهَا. فَذَكَرَ مِنْ مُوَافَقَتِهَا.

not to look at me)", as if she regarded the matter (of looking at her with no just cause) something grievous. I looked at her, and subsequently, I married her. He then mentioned her agreement (in appearance and nature with him).

[10] None Should Demand The Hand Of A Girl Who Has Been Already Engaged To His (Muslim) Brother

1867- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None should demand the hand of a girl who has been already engaged to his (Muslim) brother (unless the latter leaves or gives him permission)."

1868- It is narrated on the authority of Ibn Umar: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None should demand the hand of a girl who has been already engaged to his (Muslim) brother (unless the latter leaves or gives him permission)."

1869- It is narrated on the authority of Fatimah Bint Qais that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "When you fulfill (your term of Iddat and become) lawful (for men to marry you), inform me." So, (when I fulfilled my term of Iddat) I informed him. Her hand then was demanded by Mu'awiyah, Abu Juhaim Ibn Sukhair and Usamah Ibn Zaid. The Messenger of Allah "Allah's blessing and peace be upon him" said: "As for Mu'awiyah, he is a poor man, who has no property(therewith to comfort you). As for Abu Jahm, he has the habit of striking women. But (I commend for you) Usamah." On that she said (pointing) with her hand as such: "Let it be Usamah! Let it be Usamah!" The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "No doubt, the obedience of Allah and His Messenger is much better for you." She further said: I got married to him, and became well-pleased with him.

[11] Seeking The Consent Of The Virgin And The Matron (On Marriage)

1870- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A matron (i.e. previously married woman) has more claim over herself (pertaining to her consent on marriage) than her guardian; and the consent of a virgin should be sought on (giving) herself (in marriage)." It was said: "O Messenger of Allah! The virgin feels shy of speaking (to announce her agreement)." On that he said: "Her silence refers to her consent."

1871- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No

10 ـ بابٌ «لا يَخْطُبِ الرَّجُلُ على خِطْبَةِ أَخِيهِ»

1867 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَسَهْلُ بْنُ أَبِي سَهْلٍ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَخْطُبِ الرَّجُلُ عَلَى خِطْبَةِ أَخِيهِ**».

1868 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَخْطُبِ الرَّجُلُ عَلَى خِطْبَةِ أَخِيهِ**».

1869 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا سُفْيَانُ عَنْ أَبِي بَكْرِ بْنِ أَبِي الْجَهْمِ بْنِ صُخَيْرٍ الْعَدَوِيِّ؛ قَالَ: سَمِعْتُ فَاطِمَةَ بِنْتَ قَيْسٍ تَقُولُ: قَالَ لِي رَسُولُ اللَّهِ ﷺ: «**إِذَا حَلَلْتِ فَآذِنِينِي**» فَآذَنْتُهُ. فَخَطَبَهَا مُعَاوِيَةُ وَأَبُو الْجَهْمِ بْنُ صُخَيْرٍ وَأُسَامَةُ بْنُ زَيْدٍ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَمَّا مُعَاوِيَةُ فَرَجُلٌ تَرِبٌ، لاَ مَالَ لَهُ. وَأَمَّا أَبُو الْجَهْمِ فَرَجُلٌ ضَرَّابٌ لِلنِّسَاءِ. وَلٰكِنْ أُسَامَةُ**». فَقَالَتْ بِيَدِهَا هٰكَذَا: أُسَامَةُ. أُسَامَةُ. فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: «**طَاعَةُ اللَّهِ وَطَاعَةُ رَسُولِهِ خَيْرٌ لَكِ**» قَالَتْ: فَتَزَوَّجْتُهُ فَاغْتَبَطْتُ بِهِ.

11 ـ بابُ اسْتِئْمَارِ الْبِكْرِ والثَّيِّبِ

1870 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ مُوسَى السُّدِّيُّ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنْ عَبْدِ اللَّهِ بْنِ الْفَضْلِ الْهَاشِمِيِّ، عَنْ نَافِعِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الأَيِّمُ أَوْلَى بِنَفْسِهَا مِنْ وَلِيِّهَا. وَالْبِكْرُ تُسْتَأْمَرُ فِي نَفْسِهَا**» قِيلَ: يَا رَسُولَ اللَّهِ إِنَّ الْبِكْرَ تَسْتَحْيِي أَنْ تَتَكَلَّمَ. قَالَ: «**إِذْنُهَا سُكُوتُهَا**».

1871 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ. حَدَّثَنَا الأَوْزَاعِيُّ. حَدَّثَنِي يَحْيَىٰ بْنُ أَبِي كَثِيرٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تُنْكَحُ الثَّيِّبُ حَتَّى تُسْتَأْمَرَ. وَلاَ الْبِكْرُ حَتَّى تُسْتَأْذَنَ، وَإِذْنُهَا الصُّمُوتُ**».

matron should be given in marriage unless her agreement is sought, nor should a virgin be given in marriage unless she is asked for permission; and her consent is (expressed by) her silence."

1872- It is narrated on the authority of Adi Ibn Adi Al-Kindi from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A matron expresses of her consent (on her being given in marriage) by words; and the consent of a virgin is expressed by her silence."

[12] When One Gives His Daughter In Marriage Against Her Will

1873- It is narrated on the authority of Abd Ar-Rahman Ibn Yazid Al-Ansari, and Mujammi' Ibn Yazid Al-Ansari that a man belonging to them called Khidam gave his daughter in marriage, even though she disliked such marriage as made by her father. So, she went to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon he cancelled that marriage made by her father, and she rather got married to Abu Lubabah Ibn Abd Al-Mundhir. Yahya (a sub-narrator) mentioned that she was previously married woman.

1874- It is narrated on the authority of Ibn Buraidah from his father that he said: A girl came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "My father gave me in marriage to a son of his brother, perchance, with the help of (his marriage from) me, he would get rid of his low status." He (the Prophet) made the matter (of agreement or rejection) up to her, thereupon she said: "I have accepted what my brother did. But I just want that women should know that it is not up to the fathers (to give their daughters in marriage without seeking their consent)."

1875- It is narrated on the authority of Ibn Abbas that a young virgin came to the Messenger of Allah "Allah's blessing and peace be upon him" and mentioned to him that her father gave her in marriage against her will. So, the Messenger of Allah "Allah's blessing and peace be upon him" gave her the freedom to choose (whether to carry on or cancel the marriage).

(...) The like of it is narrated on the authority of Ibn Abbas from the Messenger of Allah "Allah's blessing and peace be upon him" through another chain of transmitters.

[13] The Small Girls Are Given In Marriage By Their Fathers

1876- It is narrated on the authority of A'ishah: The Prophet "Allah's blessing and peace be upon him" engaged me when I was a girl of six (years). We went to Medina and stayed at the home of Banu Al-Harith Ibn Khazraj. Then I got ill and my hair fell down. Later on my hair grew

1872 ـ **حدّثنا** عِيسَى بْنُ حَمَّادٍ الْمِصْرِيُّ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي حُسَيْنٍ، عَنْ عَدِيِّ بْنِ عَدِيٍّ الْكِنْدِيِّ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الثَّيِّبُ تُعْرِبُ عَنْ نَفْسِهَا، وَالْبِكْرُ رِضَاهَا صَمْتُهَا**».

12 ـ بابُ مَنْ زَوَّجَ ابْنَتَهُ وهي كَارِهَةٌ

1873 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ يَحْيَى بْنِ سَعِيدٍ؛ أَنَّ الْقَاسِمَ بْنَ مُحَمَّدٍ أَخْبَرَهُ: أَنَّ عَبْدَ الرَّحْمٰنِ بْنَ يَزِيدَ، وَمُجَمِّعَ بْنَ يَزِيدَ الأَنْصَارِيَّيْنِ أَخْبَرَاهُ: أَنَّ رَجُلاً مِنْهُمْ يُدْعَى خِذَاماً أَنْكَحَ ابْنَةً لَهُ. فَكَرِهَتْ نِكَاحَ أَبِيهَا. فَأَتَتْ رَسُولَ اللَّهِ ﷺ. فَذَكَرَتْ لَهُ. فَرَدَّ عَلَيْهَا نِكَاحَ أَبِيهَا. فَنَكَحَتْ أَبَا لُبَابَةَ بْنَ عَبْدِ الْمُنْذِرِ.

وَذَكَرَ يَحْيَى أَنَّهَا كَانَتْ ثَيِّباً.

1874 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا وَكِيعٌ عَنْ كَهْمَسِ بْنِ الْحَسَنِ، عَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ قَالَ: جَاءَتْ فَتَاةٌ إِلَى النَّبِيِّ ﷺ. فَقَالَتْ: إِنَّ أَبِي زَوَّجَنِي ابْنَ أَخِيهِ لِيَرْفَعَ بِي خَسِيسَتَهُ. قَالَ: فَجَعَلَ الأَمْرَ إِلَيْهَا. فَقَالَتْ: قَدْ أَجَزْتُ مَا صَنَعَ أَبِي. وَلٰكِنْ أَرَدْتُ أَنْ تَعْلَمَ النِّسَاءُ أَنْ لَيْسَ إِلَى الآبَاءِ مِنَ الأَمْرِ شَيْءٌ.

1875 ـ **حدّثنا** أَبُو السَّفْرِ يَحْيَى بْنُ يَزْدَادَ الْعَسْكَرِيُّ. حَدَّثَنَا الْحُسَيْنُ بْنُ مُحَمَّدٍ الْمَرْوَرُوذِيُّ. حَدَّثَنِي جَرِيرُ بْنُ حَازِمٍ، عَنْ أَيُّوبَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ جَارِيَةً بِكْراً أَتَتِ النَّبِيَّ ﷺ. فَذَكَرَتْ لَهُ أَنَّ أَبَاهَا زَوَّجَهَا وَهِيَ كَارِهَةٌ. فَخَيَّرَهَا النَّبِيُّ ﷺ.

حدّثنا مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا مُعَمَّرُ بْنُ سُلَيْمَانَ الرَّقِّيُّ، عَنْ زَيْدِ بْنِ حِبَّانَ، عَنْ أَيُّوبَ السَّخْتِيَانِيِّ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، عَنِ النَّبِيِّ ﷺ، مِثْلَهُ.

13 ـ بابُ نِكَاحِ الصِّغَارِ يُزَوِّجُهُنَّ الآبَاءُ

1876 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: تَزَوَّجَنِي رَسُولُ اللَّهِ ﷺ وَأَنَا بِنْتُ سِتِّ سِنِينَ. فَقَدِمْنَا الْمَدِينَةَ. فَنَزَلْنَا فِي بَنِي الْحَرِثِ بْنِ الْخَزْرَجِ. فَوُعِكْتُ. فَتَمَرَّقَ شَعَرِي حَتَّى وَفَى لَهُ جُمَيْمَةٌ. فَأَتَتْنِي أُمِّي أُمُّ رُومَانَ وَإِنِّي لَفِي أُرْجُوحَةٍ وَمَعِي صَوَاحِبَاتٌ لِي.

(again). My mother, Umm Ruman, came to me while I was playing in a swing with some of my girl friends. She called me, and I went to her, not knowing what she wanted to do to me. She caught me by the hand and made me stand at the door of the house. I was breathless then, and when my breathing became all right, she took some water with which she rubbed my face and head. Then she took me into the house, wherein I saw some Ansari women who said: "Best wishes and Allah's Blessing and a good luck." Then she entrusted me to them and they prepared me (for the marriage). Unexpectedly, Allah's Apostle "Allah's blessing and peace be upon him" came to me in the forenoon to whom my mother handed me over. At that time I was a girl of nine years of age.

1877- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" engaged A'ishah while she was six years old; and he consummated marriage with her when she was nine years old; and when he died, she was eighteen years old.

[14] When The Small Girls Are Given In Marriage By Persons Other Than Their Fathers

1878- It is narrated on the authority of Ibn Umar that he said: When Uthman Ibn Maz'un died, he left a (small) daughter, whom Qudamah, my maternal uncle, who also was her paternal uncle, gave her to me in marriage, without consulting her, after her father had died. But she disliked such marriage as made by him, and liked to have him give her in marriage to Al-Mughirah Ibn Shu'bah; and he gave her in marriage to him.

[15] There Is No Marriage (To Be Regarded As Valid) Without The (Permission Of The) Guardian

1879- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a woman (marries but), her guardian does not give her in marriage, her marriage is invalid; her marriage is invalid; her marriage is invalid; and if he (her husband) approaches her, she will have her dower for whatever he has got from her; and if they fall in dispute, then, the ruler becomes the guardian of such as has no guardian."

1880- It is narrated on the authority of both A'ishah and Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no marriage (to be regarded as valid) without the (permission of the) guardian." In the narration of A'ishah, there is the following addition: "And the ruler is the guardian of such as has no guardian."

فَصَرَخَتْ بِي. فَأَتَيْتُهَا وَمَا أَدْرِي مَا تُرِيدُ. فَأَخَذَتْ بِيَدِي فَأَوْقَفَتْنِي عَلَى بَابِ الدَّارِ. وَإِنِّي لأَنْهَجُ حَتَّى سَكَنَ بَعْضُ نَفَسِي. ثُمَّ أَخَذَتْ شَيْئاً مِنْ مَاءٍ فَمَسَحَتْ بِهِ عَلَى وَجْهِي وَرَأْسِي. ثُمَّ أَدْخَلَتْنِي الدَّارَ. فَإِذَا نِسْوَةٌ مِنَ الأَنْصَارِ فِي بَيْتٍ. فَقُلْنَ: عَلَى الْخَيْرِ والْبَرَكَةِ، وَعَلَى خَيْرِ طَائِرٍ. فَأَسْلَمَتْنِي إِلَيْهِنَّ. فَأَصْلَحْنَ مِنْ شَأْنِي. فَلَمْ يَرُعْنِي إِلاَّ رَسُولُ اللَّهِ ﷺ ضحًى. فَأَسْلَمَتْنِي إِلَيْهِ، وَأَنَا يَوْمَئِذٍ بِنْتُ تِسْعِ سِنِينَ.

1877 ـ **حدّثنا** أَحْمَدُ بْنُ سِنَانٍ. حَدَّثَنَا أَبُو أَحْمَدَ. حَدَّثَنَا إِسْرَائِيلُ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: تَزَوَّجَ النَّبِيُّ ﷺ عَائِشَةَ وَهِيَ بِنْتُ سَبْعٍ. وَبَنَى بِهَا وَهِيَ بِنْتُ تِسْعٍ. وَتُوُفِّيَ عَنْهَا وَهِيَ بِنْتُ ثَمَانِي عَشْرَةَ سَنَةً.

14 ـ بابٌ نِكَاحِ الصِّغَارِ يُزَوِّجُهُنَّ غَيْرُ الآبَاءِ

1878 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نَافِعٍ الصَّائِغُ. حَدَّثَنِي عَبْدُ اللَّهِ بْنُ نَافِعٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عُمَرَ؛ أَنَّهُ حِينَ هَلَكَ عُثْمَانُ بْنُ مَظْعُونٍ تَرَكَ ابْنَةً لَهُ. قَالَ ابْنُ عُمَرَ: فَزَوَّجَنِيهَا خَالِي قُدَامَةُ، وَهُوَ عَمُّهَا، وَلَمْ يُشَاوِرْهَا. وَذٰلِكَ بَعْدَمَا هَلَكَ أَبُوهَا. فَكَرِهَتْ نِكَاحَهُ، وَأَحَبَّتِ الْجَارِيَةُ أَنْ يُزَوِّجَهَا الْمُغِيرَةُ بْنُ شُعْبَةَ، فَزَوَّجَهَا إِيَّاهُ.

15 ـ بابٌ لا نِكَاحَ إلا بِوَلِيٍّ

1879 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُعَاذٌ. حَدَّثَنَا ابْنُ جُرَيْجٍ، عَنْ سُلَيْمَانَ بْنِ مُوسَى، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَيُّمَا امْرَأَةٍ لَمْ يُنْكِحْهَا الْوَلِيُّ، فَنِكَاحُهَا بَاطِلٌ، فَنِكَاحُهَا بَاطِلٌ، فَنِكَاحُهَا بَاطِلٌ. فَإِنْ أَصَابَهَا، فَلَهَا مَهْرُهَا بِمَا أَصَابَ مِنْهَا. فَإِنِ اشْتَجَرُوا، فَالسُّلْطَانُ وَلِيُّ مَنْ لاَ وَلِيَّ لَهُ»**.

1880 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ، عَنْ حَجَّاجٍ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ وَعَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ. قَالاَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ نِكَاحَ إِلاَّ بِوَلِيٍّ»**.

وَفِي حَدِيثِ عَائِشَةَ: **«وَالسُّلْطَانُ وَلِيُّ مَنْ لاَ وَلِيَّ لَهُ»**.

1881- It is narrated on the authority of Abu Musa that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no marriage (to be regarded as valid) without the (permission of the) guardian."

1882- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not permissible for a woman to give another woman in marriage, nor is it permissible for a woman to give herself in marriage, since it is only the adulteress who gives herself."

[16] Shighar (The Mutual Marriage With No Dower) Is Forbidden

1883- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Shighar, i.e. that a man says to another: "Give me your daughter or sister in marriage, on the condition that I would give you in marriage my daughter or sister" with no dower to be paid by any of them.

1884- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Shighar. (i.e. the mutual marriage with no dower to be paid by anyone of those involved in marriage.)

1885- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no Shighar (to be practiced) in Islam."

[17] The Dower Of Women

1886- It is narrated on the authority of Abu Salamah that he said: I asked A'ishah: "How much was the dower paid to the wives of the Messenger of Allah "Allah's blessing and peace be upon him"?" she said: "The dower he paid to (each of most of) his wives was twelve ounces and a Nash: do you know what is the Nash? It is half an ounce; and thus (twelve ounces and a half make a total of) five hundred Dirhams."

1887- It is narrated on the authority of Abu Al-Ajfa' As-Sulami that he said: Umar Ibn Al-Khattab said: "Do not exceed the due limit of the dower given to women: if it is a good deed in the world, and a (cause of) piety in the Sight of Allah, then, Muhammad "Allah's blessing and peace be upon him" would have been the most fitting and right from amongst you all to do so: he never gave a dower to anyone of his wives (more than twelve ounces), nor was anyone of his daughters given a dower more than twelve ounces. A man might make heavy the dower he gives to his wife so much that it leads to an enmity he has towards her, saying: "I've been put to

1881 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ. حَدَّثَنَا أَبُو عَوَانَةَ. حَدَّثَنَا أَبُو إِسْحَاقَ الْهَمْدَانِيُّ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَى؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ نِكَاحَ إِلاَّ بِوَلِيٍّ»**.

1882 ـ **حدّثنا** جَمِيلُ بْنُ الْحَسَنِ الْعَتَكِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ مَرْوَانَ الْعُقَيْلِيُّ. حَدَّثَنَا هِشَامُ بْنُ حَسَّانَ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تُزَوِّجُ الْمَرْأَةُ الْمَرْأَةَ. وَلاَ تُزَوِّجُ الْمَرْأَةُ نَفْسَهَا. فَإِنَّ الزَّانِيَةَ هِيَ الَّتِي تُزَوِّجُ نَفْسَهَا»**.

16 ـ بَابُ النَّهْيِ عَنِ الشِّغَارِ

1883 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنِ الشِّغَارِ. وَالشِّغَارُ أَنْ يَقُولَ الرَّجُلُ لِلرَّجُلِ: زَوِّجْنِي ابْنَتَكَ أَوْ أُخْتَكَ، عَلَى أَنْ أُزَوِّجَكَ ابْنَتِي أَوْ أُخْتِي. وَلَيْسَ بَيْنَهُمَا صَدَاقٌ.

1884 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ وَأَبُو أُسَامَةَ، عَنْ عَبْدِ اللَّهِ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنِ الشِّغَارِ.

1885 ـ **حدّثنا** الْحُسَيْنُ بْنُ مَهْدِيٍّ. أَنْبَأَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا مَعْمَرٌ عَنْ ثَابِتٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ شِغَارَ فِي الإِسْلاَمِ»**.

17 ـ بَابُ صَدَاقِ النِّسَاءِ

1886 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا عَبْدُ الْعَزِيزِ الدَّرَاوَرْدِيُّ، عَنْ يَزِيدَ بْنِ عَبْدِ اللَّهِ بْنِ الْهَادِ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ، عَنْ أَبِي سَلَمَةَ؛ قَالَ: سَأَلْتُ عَائِشَةَ: كَمْ كَانَ صَدَاقُ نِسَاءِ النَّبِيِّ ﷺ؟ قَالَتْ: كَانَ صَدَاقُهُ فِي أَزْوَاجِهِ اثْنَتَيْ عَشْرَةَ أُوقِيَّةً وَنَشّاً. هَلْ تَدْرِي مَا النَّشُّ؟ هُوَ نِصْفُ أُوقِيَّةٍ. وَذَلِكَ خَمْسُمِائَةِ دِرْهَمٍ.

1887 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنِ ابْنِ عَوْنٍ. ح وَحَدَّثَنَا نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ. حَدَّثَنَا ابْنُ عَوْنٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي الْعَجْفَاءِ السُّلَمِيِّ؛ قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: لاَ تُغَالُوا صَدَاقَ النِّسَاءِ. فَإِنَّهَا لَوْ كَانَتْ مَكْرُمَةً فِي الدُّنْيَا، أَوْ تَقْوَى عِنْدَ اللَّهِ، كَانَ أَوْلاَكُمْ وَأَحَقَّكُمْ بِهَا مُحَمَّدٌ ﷺ. مَا أَصْدَقَ امْرَأَةً مِنْ نِسَائِهِ وَلاَ أُصْدِقَتِ امْرَأَةٌ مِنْ بَنَاتِهِ أَكْثَرَ مِنِ اثْنَتَيْ عَشْرَةَ أُوقِيَّةً. وَإِنَّ الرَّجُلَ لَيُثَقِّلُ صَدَقَةَ امْرَأَتِهِ حَتَّى يَكُونَ لَهَا عَدَاوَةً فِي نَفْسِهِ. وَيَقُولُ: قَدْ كَلِفْتُ إِلَيْكِ عَلَقَ الْقِرْبَةِ، أَوْ عَرَقَ الْقِرْبَةِ.

وَكُنْتُ رَجُلاً عَرَبِيًّا مَوْلِداً، مَا أَدْرِي مَا عَلَقُ الْقِرْبَةِ، أَوْ عَرَقُ الْقِرْبَةِ.

difficulty (so much that for your sake I carried such troublesome things as) the rope of the water-skin or the sweat caused by the water-skin." Indeed, I was an Arab-born, and I do not know whether it is the rope of the water-skin or the sweat caused by the water-skin."

1888- It is narrated on the authority of Abdullah Ibn Amir Ibn Rabie'ah from his father that a man from Banu Fazarah married (a woman with a dower) of a pair of sandals, and the Messenger of Allah "Allah's blessing and peace be upon him" approved of his marriage.

1889- It is narrated on the authority of Sahl Ibn Sa'd that he said: A woman came to the Messenger of Allah "Allah's blessing and peace be upon him" (and offered herself to him in marriage), thereupon he asked: "Who of you (likes to) marry her?" a man said: "I (like to marry her)." The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Give her (a dower) even though (as little as) a ring of iron." The man said: "I do not have." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, I've given her to you in marriage for whatever (portion of the) Qur'an you have (and keep by heart)."

1890- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" married A'ishah with (a dower of) furniture at a value of fifty Dirhams.

[18] When A Man Marries Without Fixing A Dower And Then Dies

1891- It is narrated on the authority of Masruq from Abdullah (Ibn Mas'ud) that he was asked about a man who married a woman, without fixing a dower for her, and then he died before he consummated marriage with her, thereupon Abdullah said: "She should have the dower and the heritage (in case he has left property to be inherited), and the term of Iddat is binding upon her." On that Ma'qil Ibn Sinan Al-Ashja'i said: I witnessed the Messenger of Allah "Allah's blessing and peace be upon him" having passed a similar judgement in favour of Biru' Bint Washiq."

(...) The like of that is narrated on the authority of Alqamah from Abdullah Ibn Mas'ud, through a different chain of transmitters.

[19] The Sermon Of Marriage

1892- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was gifted with all gathering (or starting) and concluding points of goodness: he taught us the sermon of prayer, and the sermon of need. As to the sermon of prayer, it goes as follows: "All the compliments, prayers and good things be

1888 ـ **حدّثنا** أَبُو عُمَرَ الضَّرِيرُ وَهَنَّادُ بْنُ السَّرِيِّ. قَالاَ: حَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ، عَنْ عَاصِمِ بْنِ عُبَيْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ، عَنْ أَبِيهِ؛ أَنَّ رَجُلاً مِنْ بَنِي فَزَارَةَ تَزَوَّجَ عَلَى نَعْلَيْنِ. فَأَجَازَ النَّبِيُّ ﷺ نِكَاحَهُ.

1889 ـ **حدّثنا** حَفْصُ بْنُ عَمْرٍو. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ أَبِي حَازِمٍ، عَنْ سَهْلِ بْنِ سَعْدٍ؛ قَالَ: جَاءَتِ امْرَأَةٌ إِلَى النَّبِيِّ ﷺ. قَالَ: «**مَنْ يَتَزَوَّجُهَا؟**» فَقَالَ رَجُلٌ أَنَا. فَقَالَ لَهُ النَّبِيُّ ﷺ: «**أَعْطِهَا وَلَوْ خَاتَماً مِنْ حَدِيدٍ**» فَقَالَ: لَيْسَ مَعِي. قَالَ: «**قَدْ زَوَّجْتُكَهَا عَلَى مَا مَعَكَ مِنَ الْقُرْآنِ**».

1890 ـ **حدّثنا** أَبُو هِشَامٍ الرِّفَاعِيُّ مُحَمَّدُ بْنُ يَزِيدَ. حَدَّثَنَا يَحْيَى بْنُ يَمَانٍ. حَدَّثَنَا الأَغَرُّ الرَّقَاشِيُّ، عَنْ عَطِيَّةَ الْعَوْفِيِّ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ أَنَّ النَّبِيَّ ﷺ تَزَوَّجَ عَائِشَةَ عَلَى مَتَاعِ بَيْتٍ، قِيمَتُهُ خَمْسُونَ دِرْهَماً.

18 ـ بابُ الرَّجُلِ يَتَزَوَّجُ ولا يَفْرِضُ لها فَيَمُوتُ على ذٰلِكَ

1891 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ فِرَاسٍ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ أَنَّهُ سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً فَمَاتَ عَنْهَا، وَلَمْ يَدْخُلْ بِهَا، وَلَمْ يَفْرِضْ لَهَا. قَالَ فَقَالَ عَبْدُ اللَّهِ: لَهَا الصَّدَاقُ وَلَهَا الْمِيرَاثُ وَعَلَيْهَا الْعِدَّةُ. فَقَالَ مَعْقِلُ بْنُ سِنَانٍ الأَشْجَعِيُّ: شَهِدْتُ رَسُولَ اللَّهِ ﷺ قَضَى فِي بِرْوَعَ بِنْتِ وَاشِقٍ بِمِثْلِ ذٰلِكَ.

حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ، مِثْلَهُ.

19 ـ بابُ خُطْبَةِ النِّكَاحِ

1892 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عِيسَى بْنُ يُونُسَ. حَدَّثَنِي أَبِي عَنْ جَدِّي أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: أُوتِيَ رَسُولُ اللَّهِ ﷺ جَوَامِعَ الْخَيْرِ، وَخَوَاتِمَهُ. أَوْ قَالَ فَوَاتِحَ الْخَيْرِ. فَعَلَّمَنَا خُطْبَةَ الصَّلاَةِ وَخُطْبَةَ الْحَاجَةِ. خُطْبَةُ الصَّلاَةِ: التَّحِيَّاتُ لِلَّهِ والصَّلَوَاتُ والطَّيِّبَاتُ. السَّلاَمُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ. السَّلاَمُ عَلَيْنَا وَعَلَى عِبَادِ اللَّهِ الصَّالِحِينَ. أَشْهَدُ أَنْ لاَ إِلٰهَ إِلاَّ اللَّهُ وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ. وَخُطْبَةُ الْحَاجَةِ: أَنِ الْحَمْدُ لِلَّهِ نَحْمَدُهُ

due to Allah; peace, Allah's mercy and blessings be upon you, O Prophet. Peace be upon us an upon the righteous servants of Allah. I testify that there is no god but Allah, and I testify that Muhammad is His servant and His Apostle." As to the sermon of need, it goes as follows: "Praise be to Allah: we praise Him, seek His Aid, and ask for His Forgiveness. We seek refuge with Allah from the evil of our souls, and from the bad deeds of ours: whomever Allah guides aright, none could lead him astray, and whomever Allah leaves to go astray, none could guide him aright. I bear testimony to the fact that there is no god (to be worshipped) but Allah, the One and Only, with Whom there is no partner; and that Muhammad is His servant and Messenger." Then, you should join your sermon with three Holy Verses of Allah's Book: "O you who believe! fear Allah as He should be feared, and die not except in a state of Islam." (Al Imran 102) "fear Allah, through Whom you demand your mutual (rights), and (reverence) the wombs (that bore you): for Allah ever watches over you." (An-Nisa 1) "O you who believe! fear Allah, and (always) say a word directed to the Right: That He may make your conduct whole and sound and forgive you your sins: he that obeys Allah and His Messenger, has already attained the highest Achievement." (Al-Ahzab 70:71)

1893- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said (in his sermon): "Praise be to Allah: we praise Him, and seek His Aid. We seek refuge with Allah from the evil of our souls, and from the bad deeds of ours: whomever Allah guides aright, none could lead him astray, and whomever Allah leaves to go astray, none could guide him aright. I bear testimony to the fact that there is no god (to be worshipped) but Allah, the One and Only, with Whom there is no partner; and that Muhammad is His servant and Messenger: to go further:..."

1894- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Every matter of significance in which one does not start with (celebrating) the praises (of Allah Almighty) is cut off (blessing)."

[20] Making Public The Marriage

1895- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Make public the marriage, and beat the tambourine on (announcing) it."

1896- It is narrated on the authority of Muhammad Ibn Hatib that he said: The Messenger of Allah "Allah's blessing and peace be upon him"

وَنَسْتَعِينُهُ وَنَسْتَغْفِرُهُ وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا وَمِنْ سَيِّئَاتِ أَعْمَالِنَا. مَنْ يَهْدِهِ اللَّهُ فَلاَ مُضِلَّ لَهُ. وَمَنْ يُضْلِلْ فَلاَ هَادِيَ لَهُ. وَأَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ. وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ. ثُمَّ تَصِلُ خُطْبَتَكَ بِثَلاَثِ آيَاتٍ مِنْ كِتَابِ اللَّهِ: ﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ ٱتَّقُواْ ٱللَّهَ حَقَّ تُقَاتِهِۦ﴾ [آل عمران: 102] إِلَى آخِرِ الآيَةِ: ﴿وَٱتَّقُواْ ٱللَّهَ ٱلَّذِى تَسَآءَلُونَ بِهِۦ وَٱلْأَرْحَامَ﴾ [النساء: 1] إِلَى آخِرِ الآيَةِ: ﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ ٱتَّقُواْ ٱللَّهَ وَقُولُواْ قَوْلًا سَدِيدًا ﴿٧٠﴾ يُصْلِحْ لَكُمْ أَعْمَٰلَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ﴾ [الأحزاب: 70 ـ 71] إِلَى آخِرِ الآيَةِ.

1893 ـ حدّثنا بَكْرُ بْنُ خَلَفٍ. أَبُو بِشْرٍ. حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ. حَدَّثَنَا دَاوُدُ بْنُ أَبِي هِنْدٍ. حَدَّثَنِي عَمْرُو بْنُ سَعِيدٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«الْحَمْدُ لِلَّهِ نَحْمَدُهُ وَنَسْتَعِينُهُ وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا وَمِنْ سَيِّئَاتِ أَعْمَالِنَا، مَنْ يَهْدِهِ اللَّهُ فَلاَ مُضِلَّ لَهُ، وَمَنْ يُضْلِلْ فَلاَ هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ، وَأَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ. أَمَّا بَعْدُ»**.

1894 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بْنُ يَحْيَىٰ، وَمُحَمَّدُ بْنُ خَلَفٍ الْعَسْقَلاَنِيُّ قَالُوا: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَىٰ، عَنِ الأَوْزَاعِيِّ، عَنْ قُرَّةَ، عَنِ الزُّهْرِيِّ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«كُلُّ أَمْرٍ ذِي بَالٍ، لاَ يُبْدَأُ فِيهِ بِالْحَمْدِ، أَقْطَعُ»**.

20 ـ بَابُ إِعْلاَنِ النِّكَاحِ

1895 ـ حدّثنا نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ وَالْخَلِيلُ بْنُ عَمْرٍو. قَالاَ: حَدَّثَنَا عِيسَىٰ بْنُ يُونُسَ، عَنْ خَالِدِ بْنِ إِلْيَاسَ، عَنْ رَبِيعَةَ بْنِ أَبِي عَبْدِ الرَّحْمَٰنِ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«أَعْلِنُوا هٰذَا النِّكَاحَ، وَاضْرِبُوا عَلَيْهِ بِالْغِرْبَالِ»**.

1896 ـ حدّثنا عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا هُشَيْمٌ، عَنْ أَبِي بَلْجٍ، عَنْ مُحَمَّدِ بْنِ حَاطِبٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«فَصْلُ بَيْنَ الْحَلاَلِ وَالْحَرَامِ، الدُّفُّ وَالصَّوْتُ فِي النِّكَاحِ»**.

said: "The distinction between what is lawful and what is unlawful pertaining to marriage is (to make it public with the help of beating) the tambourine and chanting."

[21] What About Singing And Beating The Tambourine

1897- It is narrated on the authority of Abu Al-Husain: Khalid Al-Madani that he said: We were in Medina on the day of Ashura, and the girls were beating the tambourine and singing. We visited Ar-Rubai Bint Mu'awwidh, and made a mention of that to her, thereupon she said: The Messenger of Allah "Allah's blessing and peace be upon him" visited me in the morning of consummating my marriage, and there were two girls in my house, singing and lamenting my fathers who were killed on the day of (the holy battle of) Badr, and they were saying from amongst what they said: "And among us is a Prophet, who knows what is to come in the morrow." On that he said: "As for that, do not say it, for none but Allah knows what is to come in the morrow."

1898- It is narrated on the authority of A'ishah that she said: Abu Bakr came to my home while two small Ansari girls were singing beside me the stories of the Ansar concerning the Day of Bu'ath. They were not (professional) singers. Abu Bakr said protestingly: "Musical instruments of Satan are in the home of the Messenger of Allah "Allah's blessing and peace be upon him"!" It happened on the day of (Id) Al-Fitr and the Messenger of Allah "Allah's blessing and peace be upon him" said: "O Abu Bakr! Every nation has their festival; and this is our festival."

1899- It is narrated on the authority of Anas Ibn Malik that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" came upon some place in Medina and behold! There were some girls beating the tambourine and singing: "We are girls belonging to the sons of An-Najjar: it'd better for us to have Muhammad as our neighbour!" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah knows that I like you (as well as you like me)."

1900- It is narrated on the authority of Ibn Abbas that he said: A'ishah supervised the (affairs of the) marriage of a girl from her kinship belonging to the Ansar. The Messenger of Allah "Allah's blessing and peace be upon him" came and asked: "Have you sent the girl (to the house of her husband)?" She answered in the affirmative. He asked: "Have you sent with her some (girls) to sing for her?" she answered in the negative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "The Ansar are a people who have (a tendency towards) words of love:

21 ـ بابُ الغِنَاءِ والدُّفِّ

1897 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ أَبِي الْحُسَيْنِ (اسْمُهُ خَالِدٌ الْمَدَنِيُّ) قَالَ: كُنَّا بِالْمَدِينَةِ يَوْمَ عَاشُورَاءَ. وَالْجَوَارِي يَضْرِبْنَ بِالدُّفِّ. وَيَتَغَنَّيْنَ. فَدَخَلْنَا عَلَى الرُّبَيِّعِ بِنْتِ مُعَوِّذٍ. فَذَكَرْنَا ذٰلِكَ لَهَا. فَقَالَتْ: دَخَلَ عَلَيَّ رَسُولُ اللَّهِ ﷺ صَبِيحَةَ عُرْسِي وَعِنْدِي جَارِيَتَانِ يَتَغَنَّيَانِ وَتَنْدُبَانِ آبَائِي الَّذِينَ قُتِلُوا يَوْمَ بَدْرٍ. وَتَقُولاَنِ، فِيمَا تَقُولاَنِ: وَفِينَا نَبِيٌّ يَعْلَمُ مَا فِي غَدٍ. فَقَالَ: «**أَمَّا هٰذَا، فَلاَ تَقُولُوهُ. مَا يَعْلَمُ مَا فِي غَدٍ إِلاَّ اللَّهُ**».

1898 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: دَخَلَ عَلَيَّ أَبُو بَكْرٍ، وَعِنْدِي جَارِيَتَانِ مِنْ جَوَارِي الأَنْصَارِ. تُغَنِّيَانِ بِمَا تَقَاوَلَتْ بِهِ الأَنْصَارُ فِي يَوْمِ بُعَاثٍ. قَالَتْ وَلَيْسَتَا بِمُغَنِّيَتَيْنِ. فَقَالَ أَبُو بَكْرٍ: أَبِمَزْمُورِ الشَّيْطَانِ فِي بَيْتِ النَّبِيِّ ﷺ؟ وَذٰلِكَ فِي يَوْمِ عِيدِ الْفِطْرِ. فَقَالَ النَّبِيُّ ﷺ: «**يَا أَبَا بَكْرٍ إِنَّ لِكُلِّ قَوْمٍ عِيداً. وَهٰذَا عِيدُنَا**».

1899 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عِيسَى بْنُ يُونُسَ. حَدَّثَنَا عَوْفٌ عَنْ ثُمَامَةَ بْنِ عَبْدِ اللَّهِ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ النَّبِيَّ ﷺ مَرَّ بِبَعْضِ الْمَدِينَةِ. فَإِذَا هُوَ بِجَوَارٍ يَضْرِبْنَ بِدُفِّهِنَّ وَيَتَغَنَّيْنَ وَيَقُلْنَ.

نَحْنُ جَوَارٍ مِنْ بَنِي النَّجَّارِ ... يَا حَبَّذَا مُحَمَّدٌ مِنْ جَارِ

فَقَالَ النَّبِيُّ ﷺ: «**اللَّهُ يَعْلَمُ إِنِّي لأُحِبُّكُنَّ**».

1900 ـ **حدّثنا** إِسْحَاقُ بْنُ مَنْصُورٍ. أَنْبَأَنَا جَعْفَرُ بْنُ عَوْنٍ. أَنْبَأَنَا الأَجْلَحُ، عَنْ أَبِي الزُّبَيْرِ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: أَنْكَحَتْ عَائِشَةُ ذَاتَ قَرَابَةٍ لَهَا مِنَ الأَنْصَارِ. فَجَاءَ رَسُولُ اللَّهِ ﷺ فَقَالَ: «**أَهْدَيْتُمُ الْفَتَاةَ؟**» قَالُوا: نَعَمْ. قَالَ: «**أَرْسَلْتُمْ مَعَهَا مَنْ يُغَنِّي؟**» قَالَتْ: لاَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ الأَنْصَارَ قَوْمٌ فِيهِمْ غَزَلٌ. فَلَوْ بَعَثْتُمْ مَعَهَا مَنْ يَقُولُ: أَتَيْنَاكُمْ أَتَيْنَاكُمْ، فَحَيَّانَا وَحَيَّاكُمْ**».

so, would that you should send with her some (girls) who might say (while singing): "We've come to you! We've come to you! Greeting be for us, as well as it be for you.""

1901- It is narrated on the authority of Mujahid that he said: I was in the company of Ibn Umar when he heard the sound of drumming, thereupon he got his fingers into his ears, and moved aside, and did so thrice, and said: "So did the Messenger of Allah "Allah's blessing and peace be upon him"."

[22] What About The Effeminate Persons

1902- It is narrated on the authority of Umm Salamah that once, the Messenger of Allah "Allah's blessing and peace be upon him" entered into her, and heard an effeminate person saying to Abdullah Ibn Abu Umayyah: "If Allah helps you conquer Ta'if tomorrow, I'm going to lead you to a woman (to take as captive), who comes with four folds, and returns with eight folds (of flesh)." On that Allah's Apostle "Allah's blessing and peace be upon him" said (to his wives): "Drive him out of your houses."

Comment: (These types of effeminate persons used to visit women on thinking they had no sexual power, and thus, they had no desire for women. But when the Messenger of Allah "Allah's blessing and peace be upon him" heard the one referred to in the narration speaking in such a way as indicated the possibility of having desire for women, he prevented that person and the like of him to visit women.)

1903- It is narrated on the authority of Abu Hurairah that Allah's Apostle "Allah's blessing and peace be upon him" cursed such of women as imitate the conduct of men, and such of men as imitate the conduct of women.

1904- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" cursed such of men as imitate the conduct of women, and such of women as imitate the conduct of men.

[23] The Congratulation For Marriage

1905- It is narrated on the authority of Abu Hurairah that whenever the Messenger of Allah "Allah's blessing and peace be upon him" congratulated (anyone for marriage), he would say: "Might Allah bless you, and send His Blessing upon you, and assemble you in goodness."

1906- It is narrated on the authority of Aqil Ibn Abu Talib that he married a woman belonging to Banu Jushm, and they said (in congratulation): "Let it be (a cause of) joining you in harmony and having many children!" he said to them: Do not say so, but you should say the

1901 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا الْفِرْيَابِيُّ عَنْ ثَعْلَبَةَ بْنِ أَبِي مَالِكٍ التَّمِيمِيِّ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ؛ قَالَ: كُنْتُ مَعَ ابْنِ عُمَرَ، فَسَمِعَ صَوْتَ طَبْلٍ فَأَدْخَلَ إِصْبَعَيْهِ فِي أُذُنَيْهِ. ثُمَّ تَنَحَّى. حَتَّى فَعَلَ ذٰلِكَ ثَلاَثَ مَرَّاتٍ. ثُمَّ قَالَ: هٰكَذَا فَعَلَ رَسُولُ اللَّهِ ﷺ.

22 ـ بابٌ في المُخَنَّثِينَ

1902 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ، عَنْ أُمِّ سَلَمَةَ؛ أَنَّ النَّبِيَّ ﷺ دَخَلَ عَلَيْهَا. فَسَمِعَ مُخَنَّثاً وَهُوَ يَقُولُ لِعَبْدِ اللَّهِ بْنِ أَبِي أُمَيَّةَ: إِنْ يَفْتَحِ اللَّهُ الطَّائِفَ غَداً، دَلَلْتُكَ عَلَى امْرَأَةٍ تُقْبِلُ بِأَرْبَعٍ وَتُدْبِرُ بِثَمَانٍ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَخْرِجُوهُ مِنْ بُيُوتِكُمْ**».

1903 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي حَازِمٍ، عَنْ سُهَيْلٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ لَعَنَ الْمَرْأَةَ تَتَشَبَّهُ بِالرِّجَالِ، وَالرَّجُلَ يَتَشَبَّهُ بِالنِّسَاءِ.

1904 ـ **حدّثنا** أَبُو بَكْرِ بْنُ خَلاَّدٍ الْبَاهِلِيُّ. حَدَّثَنَا خَالِدُ بْنُ الْحٰرِثِ. حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ لَعَنَ الْمُتَشَبِّهِينَ مِنَ الرِّجَالِ بِالنِّسَاءِ، وَلَعَنَ الْمُتَشَبِّهَاتِ مِنَ النِّسَاءِ بِالرِّجَالِ.

23 ـ بابُ تَهْنِئَةِ النِّكَاحِ

1905 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ الدَّرَاوَرْدِيُّ، عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا رَفَّأَ قَالَ: «**بَارَكَ اللَّهُ لَكُمْ. وَبَارَكَ عَلَيْكُمْ. وَجَمَعَ بَيْنَكُمَا فِي خَيْرٍ**».

1906 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ. حَدَّثَنَا أَشْعَثُ، عَنِ الْحَسَنِ، عَنْ عَقِيلِ بْنِ أَبِي طَالِبٍ؛ أَنَّهُ تَزَوَّجَ امْرَأَةً مِنْ بَنِي جُشَمٍ. فَقَالُوا: بِالرِّفَاءِ وَالْبَنِينَ. فَقَالَ: لاَ تَقُولُوا هٰكَذَا. وَلٰكِنْ قُولُوا، كَمَا قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّهُمَّ بَارِكْ لَهُمْ وَبَارِكْ عَلَيْهِمْ**».

same as the Messenger of Allah "Allah's blessing and peace be upon him" said: "O Allah! Bless them, and send Your Blessing upon them!"

[24] The Wedding Banquet

1907- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" noticed the effects of yellow (perfume) on Abd Ar-Rahman Ibn Awf, whom he asked: "What is that?" he said: "O Messenger of Allah! I have got married to a woman with (a dower of) a date-stone's weight of gold." On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Might Allah bless you! Offer a wedding banquet even with (as little as) a goat."

1908- It is narrated on the authority of Anas Ibn Malik that he said: I've never seen the Messenger of Allah "Allah's blessing and peace be upon him" having offered a wedding banquet on (marrying) anyone of his wives much better than the wedding banquet he offered on (the occasion of his marriage from) Zainab, in which he slaughtered a sheep.

1909- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" offered a wedding banquet on (his marriage from) Safiyyah with Sawiq and dates.

1910- It is narrated on the authority of Anas Ibn Malik that he said: I attended a wedding banquet offered by the Messenger of Allah "Allah's blessing and peace be upon him" (on the occasion of his marriage) in which there was neither meat nor bread. Ibn Majah says: None relates this narration barring Ibn Uyainah.

1911- It is narrated on the authority of both A'ishah and Umm Salamah that they said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered us to prepare Fatimah so that Ali would consummate marriage with her. We went to the house, in which we spread soft dust brought from the sides of Al-Batha'. Then, we stuffed two cushions with fibers, which we carded with our own hands. We then served (the people) with dates and raisin, and made them drink sweet water. We brought a stick which we fixed in one side of the house, so that the garments would be placed on it, and the water-skins hung on it: however, we've never seen a marriage party, much better than that of Fatimah.

1912- It is narrated on the authority of Sahl Ibn Sa'd As-Sa'idi: Abu Usaid As-Sa'idi invited Allah's Apostle "Allah's blessing and peace be upon him" on the occasion of his wedding. His wife, who was the bride, was serving them. She said: "Do you know what drink I prepared for

24 ـ بابُ الوَلِيمَةِ

1907 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنَا ثَابِتٌ الْبُنَانِيُّ عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ النَّبِيَّ ﷺ رَأَى عَلَى عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ أَثَرَ صُفْرَةٍ. فَقَالَ: «**مَا هٰذَا؟ أَوْ مَهْ؟**» فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي تَزَوَّجْتُ امْرَأَةً عَلَى وَزْنِ نَوَاةٍ مِنْ ذَهَبٍ. فَقَالَ: «**بَارَكَ اللَّهُ لَكَ. أَوْلِمْ وَلَوْ بِشَاةٍ**».

1908 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ ثَابِتٍ الْبُنَانِيِّ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: مَا رَأَيْتُ رَسُولَ اللَّهِ ﷺ أَوْلَمَ عَلَى شَيْءٍ مِنْ نِسَائِهِ مَا أَوْلَمَ عَلَى زَيْنَبَ. فَإِنَّهُ ذَبَحَ شَاةً.

1909 ـ **حدّثنا** مُحَمَّدُ بْنُ أَبِي عُمَرَ الْعَدَنِيُّ، وَغِيَاثُ بْنُ جَعْفَرٍ الرَّحَبِيُّ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ. حَدَّثَنَا وَائِلُ بْنُ دَاوُدَ، عَنْ أَبِيهِ، عَنِ الزُّهْرِيِّ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ النَّبِيَّ ﷺ أَوْلَمَ عَلَى صَفِيَّةَ بِسَوِيقٍ وَتَمْرٍ.

1910 ـ **حدّثنا** زُهَيْرُ بْنُ حَرْبٍ أَبُو خَيْثَمَةَ. حَدَّثَنَا سُفْيَانُ عَنْ عَلِيِّ بْنِ زَيْدِ بْنِ جَدْعَانَ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: شَهِدْتُ لِلنَّبِيِّ ﷺ وَلِيمَةً. مَا فِيهَا لَحْمٌ وَلاَ خُبْزٌ.

قَالَ ابْنُ مَاجَةَ: لَمْ يُحَدِّثْ بِهِ إِلاَّ ابْنُ عُيَيْنَةَ.

1911 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا الْفَضْلُ بْنُ عَبْدِ اللَّهِ عَنْ جَابِرٍ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ وَأُمِّ سَلَمَةَ قَالَتَا: أَمَرَنَا رَسُولُ اللَّهِ ﷺ أَنْ نُجَهِّزَ فَاطِمَةَ حَتَّى نُدْخِلَهَا عَلَى عَلِيٍّ. فَعَمَدْنَا إِلَى الْبَيْتِ. فَفَرَشْنَاهُ تُرَاباً لَيِّناً مِنْ أَعْرَاضِ الْبَطْحَاءِ. ثُمَّ حَشَوْنَا مِرْفَقَتَيْنِ لِيفاً. فَنَفَشْنَاهُ بِأَيْدِينَا. ثُمَّ أَطْعَمْنَا تَمْراً وَزَبِيباً وَسَقَيْنَا مَاءً عَذْباً وَعَمَدْنَا إِلَى عُودٍ، فَعَرَضْنَاهُ فِي جَانِبِ الْبَيْتِ لِيُلْقَى عَلَيْهِ الثَّوْبُ وَيُعَلَّقُ عَلَيْهِ السِّقَاءُ. فَمَا رَأَيْنَا عُرْساً أَحْسَنَ مِنْ عُرْسِ فَاطِمَةَ.

1912 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي حَازِمٍ. حَدَّثَنِي أَبِي عَنْ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيِّ؛ قَالَ: دَعَا أَبُو أُسَيْدٍ السَّاعِدِيُّ رَسُولَ اللَّهِ ﷺ إِلَى عُرْسِهِ. فَكَانَتْ خَادِمَهُمُ الْعَرُوسُ. قَالَتْ: تَدْرِي مَا سَقَيْتُ رَسُولَ اللَّهِ ﷺ؟ قَالَتْ: أَنْقَعْتُ تَمَرَاتٍ مِنَ اللَّيْلِ. فَلَمَّا أَصْبَحْتُ صَفَّيْتُهُنَّ فَأَسْقَيْتُهُنَّ إِيَّاهُ.

Allah's Apostle "Allah's blessing and peace be upon him"? I had soaked some dates in water overnight, and when it was morning, I liquefied that (syrup), and made him drink it."

[25] Answering The Invitation (To The Banquet)

1913- It is narrated on the authority of Abu Hurairah that he said: The worst of food is that of a banquet, to which only the rich among the people are invited, and the poor among them are left; and whoever does not answer (the invitation to the banquet) has disobeyed Allah and His Messenger.

1914- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you is invited to a wedding banquet, let him respond (to the invitation)!"

1915- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The marriage banquet offered on the first day is a fact (that is required to be made and attended by the people); and (when it is offered) on the second day, it is (a part of) favour; and (when it is offered) on the third day, it is just (an aspect of) showing off in order to be seen of men."

[26] How Long Could One Stay With The Virgin And The Matron (On Consummating Marriage)

1916- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "(One should give a stay of no less than) three (nights) for a matron, and seven (nights) for a virgin (on consummating marriage with her before visiting his other wives by turns)."

1917- It is narrated on the authority of Umm Salamah that when the Messenger of Allah "Allah's blessing and peace be upon him" got married to Umm Salamah he stayed with her three (nights) after which he said to her: "No doubt, it is not that (for I stayed with you only three nights) you are insignificant in the sight of your family (i.e. himself); and if you so like, I will stay with you seven (nights before visiting my other wives by turns). But in case I stay seven (nights) with you, I should stay seven (nights) with (each of) my wives (in order that equality should be observed)."

[27] What A Man Says When His Wife Enters Into Him (To Consummate Marriage With Her)

1918- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather Abdullah Ibn Amr that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you gets benefit from a woman (i.e. marries her), a servant or a mount, let him first

25 ـ بابُ إجَابَةِ الدَّاعِي

1913 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ الرَّحْمٰنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: شَرُّ الطَّعَامِ طَعَامُ الْوَلِيمَةِ. يُدْعَى لَهَا الأَغْنِيَاءُ وَيُتْرَكُ الْفُقَرَاءُ وَمَنْ لَمْ يُجِبْ فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ.

1914 ـ **حدّثنا** إِسْحَاقُ بْنُ مَنْصُورٍ. أَنْبَأَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ. حَدَّثَنَا عُبَيْدُ اللَّهِ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«إِذَا دُعِيَ أَحَدُكُمْ إِلَى وَلِيمَةِ عُرْسٍ، فَلْيُجِبْ»**.

1915 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبَادَةَ الْوَاسِطِيُّ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. حَدَّثَنَا عَبْدُ الْمَلِكِ بْنُ حُسَيْنٍ أَبُو مَالِكٍ النَّخَعِيُّ، عَنْ مَنْصُورٍ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الْوَلِيمَةُ أَوَّلَ يَوْمٍ حَقٌّ. وَالثَّانِي مَعْرُوفٌ. وَالثَّالِثُ رِيَاءٌ وَسُمْعَةٌ»**.

26 ـ بابُ الإقَامَةِ على البِكْرِ والثَّيِّبِ

1916 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، عَنْ أَنَسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ لِلثَّيِّبِ ثَلاَثاً، وَلِلْبِكْرِ سَبْعاً»**.

1917 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ الْقَطَّانُ عَنْ سُفْيَانَ، عَنْ مُحَمَّدِ بْنِ أَبِي بَكْرٍ، عَنْ عَبْدِ الْمَلِكِ (يَعْنِي ابْنَ أَبِي بَكْرِ بْنِ الْحٰرِثِ بْنِ هِشَامٍ)، عَنْ أَبِيهِ، عَنْ أُمِّ سَلَمَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ لَمَّا تَزَوَّجَ أُمَّ سَلَمَةَ أَقَامَ عِنْدَهَا ثَلاَثاً. وَقَالَ: **«لَيْسَ بِكِ عَلَى أَهْلِكِ هَوَانٌ. إِنْ شِئْتِ، سَبَّعْتُ لَكِ. وَإِنْ سَبَّعْتُ لَكِ، سَبَّعْتُ لِنِسَائِي»**.

27 ـ بابُ ما يَقُولُ الرَّجُلُ إذا دَخَلَتْ عَلَيْهِ أَهْلُهُ

1918 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ، وَصَالِحُ بْنُ مُحَمَّدِ بْنِ يَحْيَىٰ الْقَطَّانُ. قَالاَ: حَدَّثَنَا عُبَيْدُ اللَّهِ ابْنُ مُوسَىٰ. حَدَّثَنَا سُفْيَانُ عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ عَبْدِ اللَّهِ بْنِ عَمْرٍو، عَنِ النَّبِيِّ ﷺ قَالَ: **«إِذَا أَفَادَ أَحَدُكُمُ امْرَأَةً أَوْ خَادِماً، أَوْ دَابَّةً، فَلْيَأْخُذْ بِنَاصِيَتِهَا وَلْيَقُلْ: اللَّهُمَّ إِنِّي أَسْأَلُكَ مِنْ خَيْرِهَا**

catch hold of her forelock, and then say: "O Allah! I ask You (to avail me) of her goodness, and of the best conduct on which she has been created; and I seek refuge with You from her evil, and from the worst conduct on which she has been created."

1919- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you says, on having sexual relation with his wife: "O Allah! Keep me far from Satan, and keep Satan away from what You are going to provide me with", and then they have a child (as a result of this meeting), Satan will not be directed upon him by Allah, nor will he (be made to) cause any harm to him."

[28] Being Screened On Having Sexual Intercourse

1920- It is narrated on the authority of Bahz Ibn Hakim from his father from his grandfather that he said: I said: "O Messenger of Allah! Which of our private parts would we screen, and which of them would we leave (uncovered)?" he said: "Screen your privates from all the people barring your wife and that which your right (hand) possesses (i.e. your slave-girl that is lawful for you)." I said: "O Messenger of Allah! Tell me: when the people are mixed (and gathered in one place where nothing could be hidden: what should I do?)" he said: "If you could let none see your (privates), you should let none see that." I said: "O Messenger of Allah! When anyone of us is in privacy (should he also screen his privates?)" he said: "No doubt, Allah has more right to feel shy of Him (by screening your privates)than the people."

1921- It is narrated on the authority of Utbah Ibn Abd As-Sulami that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you has sexual relation with his wife, let him screen himself, and let not him become as naked as both asses."

1922- It is narrated on the authority of A'ishah that she said: I've never looked at (or I've never seen) the private parts of the Messenger of Allah "Allah's blessing and peace be upon him".

[29] It Is Forbidden To Have Sexual Relation With Women From The Anus

1923- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah Almighty never looks (with mercy and forgiveness) at such as has sexual relation with his wife from her anus."

وَخَيْرِ مَا جُبِلَتْ عَلَيْهِ. وَأَعُوذُ بِكَ مِنْ شَرِّهَا وَشَرِّ مَا جُبِلَتْ عَلَيْهِ».

1919 ـ حدّثنا عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ، عَنْ كُرَيْبٍ، عَنِ ابْنِ عَبَّاسٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَوْ أَنَّ أَحَدَكُمْ إِذَا أَتَى امْرَأَتَهُ قَالَ: اللَّهُمَّ جَنِّبْنِي الشَّيْطَانَ وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنِي. ثُمَّ كَانَ بَيْنَهُمَا وَلَدٌ، لَمْ يُسَلِّطِ اللَّهُ عَلَيْهِ الشَّيْطَانَ. أَوْ لَمْ يَضُرَّهُ».

28 ـ بَابُ التَّسَتُّرِ عِنْدَ الجِمَاعِ

1920 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، وَأَبُو أُسَامَةَ. قَالاَ: حَدَّثَنَا بَهْزُ بْنُ حَكِيمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قُلْتُ: يَا رَسُولَ اللَّهِ عَوْرَاتُنَا. مَا نَأْتِي مِنْهَا وَمَا نَذَرُ؟ قَالَ: «احْفَظْ عَوْرَتَكَ. إِلاَّ مِنْ زَوْجَتِكَ أَوْ مَا مَلَكَتْ يَمِينُكَ» قُلْتُ: يَا رَسُولَ اللَّهِ أَرَأَيْتَ إِنْ كَانَ الْقَوْمُ بَعْضُهُمْ فِي بَعْضٍ؟ قَالَ: «إِنِ اسْتَطَعْتَ أَنْ لاَ تُرِيَهَا أَحَداً، فَلاَ تُرِيَنَّهَا» قُلْتُ: يَا رَسُولَ اللَّهِ فَإِنْ كَانَ أَحَدُنَا خَالِياً؟ قَالَ: «فَاللَّهُ أَحَقُّ أَنْ يُسْتَحْيَىٰ مِنْهُ مِنَ النَّاسِ».

1921 ـ حدّثنا إِسْحَاقُ بْنُ وَهْبٍ الْوَاسِطِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ الْقَاسِمِ الْهَمْدَانِيُّ. حَدَّثَنَا الأَحْوَصُ بْنُ حَكِيمٍ، عَنْ أَبِيهِ. وَرَاشِدُ بْنُ سَعْدٍ، وَعَبْدُ الأَعْلَىٰ بْنُ عَدِيٍّ، عَنْ عُتْبَةَ بْنِ عَبْدٍ السُّلَمِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا أَتَىٰ أَحَدُكُمْ أَهْلَهُ فَلْيَسْتَتِرْ وَلاَ يَتَجَرَّدْ تَجَرُّدَ الْعَيْرَيْنِ».

1922 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ مُوسَىٰ بْنِ عَبْدِ اللَّهِ بْنِ يَزِيدَ، عَنْ مَوْلًى لِعَائِشَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: مَا نَظَرْتُ، أَوْ مَا رَأَيْتُ فَرْجَ رَسُولِ اللَّهِ ﷺ قَطُّ.

قَالَ أَبُو بَكْرٍ: قَالَ أَبُو نُعَيْمٍ: عَنْ مَوْلاَةٍ لِعَائِشَةَ.

29 ـ بَابُ النَّهْيِ عَنْ إِتْيَانِ النِّسَاءِ فِي أَدْبَارِهِنَّ

1923 ـ حدّثنا مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ الْمُخْتَارِ، عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ، عَنِ الْحَرِثِ بْنِ مُخَلَّدٍ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ يَنْظُرُ اللَّهُ إِلَى رَجُلٍ جَامَعَ امْرَأَتَهُ فِي دُبُرِهَا».

1924- It is narrated on the authority of Khuzaimah Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah never feels shy of (telling) the truth!" (He said it) thrice: "Do not have sexual relation with women from the anus."

1925- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Jews used to say: "If one has sexual intercourse with his wife in her vagina from the back, then she will deliver a squint-eyed child." So this Verse was revealed: "Your wives are as a tilth unto you; so approach your tilth when or how you will." (Al-Baqarah 223)

[30] What About Coitus Interruptus

1926- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: A man asked the Messenger of Allah "Allah's blessing and peace be upon him" about (the judgement pertaining to) coitus interruptus, thereupon he said: "Do you do so? There is no harm on you if you do not do so: there is no soul, decreed by Allah to be (created) but that it should be (created)."

1927- It is narrated on the authority of Jabir that he said: We used to practice coitus interruptus during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", (and at that time) the Qur'an was still being revealed (and had it been prohibited, the Qur'an would have been revealed to forbid it).

1928- It is narrated on the authority of Umar Ibn Al-Khattab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade one to practice coitus interruptus with the free woman except by her leave.

[31] No Woman Should Be Combined In Wedlock To Her Paternal Or Maternal Aunt

1929- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No woman should be combined in wedlock to her paternal or maternal aunt."

1930- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having forbidden two (types of) marriage according to which a man joins a woman to her paternal aunt, or to her maternal aunt (in wedlock).

1931- It is narrated on the authority of Abu Bakr Ibn Abu Musa from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No woman should be combined in wedlock to her paternal or maternal aunt."

1924 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ، عَنْ حَجَّاجِ بْنِ أَرْطَاةَ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ عَبْدِ اللَّهِ بْنِ هَرَمِيٍّ، عَنْ خُزَيْمَةَ بْنِ ثَابِتٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ اللَّهَ لاَ يَسْتَحْيِي مِنَ الْحَقِّ»** ثَلاَثَ مَرَّاتٍ **«لاَ تَأْتُوا النِّسَاءَ فِي أَدْبَارِهِنَّ»**.

1925 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ، وَجَمِيلُ بْنُ الْحَسَنِ. قَالاَ: حَدَّثَنَا سُفْيَانُ عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: كَانَتْ يَهُودُ تَقُولُ: مَنْ أَتَى امْرَأَةً فِي قُبُلِهَا، مِنْ دُبُرِهَا، كَانَ الْوَلَدُ أَحْوَلَ. فَأَنْزَلَ اللَّهُ سُبْحَانَهُ: ﴿نِسَآؤُكُمْ حَرْثٌ لَّكُمْ فَأْتُوا حَرْثَكُمْ أَنَّىٰ شِئْتُمْ﴾ [البقرة: 223].

30 ـ بَابُ الْعَزْلِ

1926 ـ **حدّثنا** أَبُو مَرْوَانَ مُحَمَّدُ بْنُ عُثْمَانَ الْعُثْمَانِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ. حَدَّثَنِي عُبَيْدُ اللَّهِ بْنُ عَبْدِ اللَّهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: سَأَلَ رَجُلٌ رَسُولَ اللَّهِ ﷺ عَنِ الْعَزْلِ؟ فَقَالَ: **«أَوَ تَفْعَلُونَ؟ لاَ عَلَيْكُمْ أَنْ لاَ تَفْعَلُوا. فَإِنَّهُ لَيْسَ مِنْ نَسَمَةٍ، قَضَى اللَّهُ لَهَا أَنْ تَكُونَ، إِلاَّ هِيَ كَائِنَةٌ»**.

1927 ـ **حدّثنا** هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيُّ. حَدَّثَنَا سُفْيَانُ عَنْ عَمْرٍو، عَنْ عَطَاءٍ، عَنْ جَابِرٍ؛ قَالَ: كُنَّا نَعْزِلُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ، وَالْقُرْآنُ يَنْزِلُ.

1928 ـ **حدّثنا** الْحَسَنُ بْنُ عَلِيٍّ الْخَلاَّلُ. حَدَّثَنَا إِسْحَاقُ بْنُ عِيسَى. حَدَّثَنَا ابْنُ لَهِيعَةَ. حَدَّثَنِي جَعْفَرُ بْنُ رَبِيعَةَ، عَنِ الزُّهْرِيِّ، عَنْ مُحَرَّرِ بْنِ أَبِي هُرَيْرَةَ، عَنْ أَبِيهِ، عَنْ عُمَرَ بْنِ الْخَطَّابِ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يُعْزَلَ عَنِ الْحُرَّةِ إِلاَّ بِإِذْنِهَا.

31 ـ بابٌ لا تُنْكَحُ الْمَرْأَةِ على عَمَّتِهَا ولا على خَالَتِهَا

1929 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامِ بْنِ حَسَّانٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ تُنْكَحُ الْمَرْأَةُ عَلَى عَمَّتِهَا، وَلاَ عَلَى خَالَتِهَا»**.

1930 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ يَعْقُوبَ بْنِ عُتْبَةَ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَنْهَى عَنْ نِكَاحَيْنِ. أَنْ يَجْمَعَ الرَّجُلُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا، وَبَيْنَ الْمَرْأَةِ وَخَالَتِهَا.

1931 ـ **حدّثنا** جُبَارَةُ بْنُ الْمُغَلِّسِ. حَدَّثَنَا أَبُو بَكْرٍ النَّهْشَلِيُّ. حَدَّثَنِي أَبُو بَكْرِ بْنُ أَبِي مُوسَى، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تُنْكَحُ الْمَرْأَةُ عَلَى عَمَّتِهَا وَلاَ عَلَى خَالَتِهَا»**.

[32] When One Divorces His Wife Thrice And She Marries Another, Who Divorces Her Before Consummating Marriage With Her: Is It Lawful For Her To Return To The Former In Marriage?

1932- It is narrated on the authority of A'ishah that she said: The (previously) wife of Rifa'ah Al-Qarzi came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "I was the wife of Rifa'ah and he divorced me irrevocably, thereupon I got married to Abd Ar-Rahman Ibn Az-Zabir, and he is (so much sexually impotent that his penis is as weak as) the edge of the garment." On that the Messenger of Allah "Allah's blessing and peace be upon him" smiled and said: "Perhaps you like to return to Rifa'ah (in marriage)! No (you could not do so) unless you and he (your husband have and) get pleasure from sexual relation between you."

Comment: (It is not necessary that her husband should be Abd Ar-Rahman, because Abd Ar-Rahman was sexually impotent, and thus she would not be able to have full sexual relation with him. But the significance here is that in order to return to Rifa'ah in marriage, she might be divorced from Abd Ar-Rahman and get married to another one, with whom she should have sexual relation; and if he divorced her, in this case she would return to Rifa'ah in marriage.)

1933- It is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", concerning a man who divorces his wife (irrevocably) and she gets married to another one, who divorces her before consummating marriage with her: is it lawful for her to return to the former (in marriage)? That he said: "No (she could not return) unless he (the latter) gets pleasure from the sexual relation with her."

[33] What About The Muhallil And The Muhallal

(such as marries a woman who is irrevocably divorced by another to make it lawful for her to return to her former husband; and the one who divorces his wife irrevocably)

1934- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" cursed the Muhallil and the Muhallal (such as marries a woman who is irrevocably divorced by another to make it lawful for her to return to her former husband; and such as divorces his wife irrevocably and accepts this operation).

1935- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed the Muhallil and the Muhallal (such as marries a woman who is irrevocably divorced by

32 ـ بابُ الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ ثَلاثاً فَتَزَوَّجُ فَيُطَلِّقُهَا قَبْلَ أَنْ يَدْخُلَ بها، أَتَرْجِعُ إلى الأَوَّلِ؟

1932 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ. أَخْبَرَنِي عُرْوَةُ، عَنْ عَائِشَةَ؛ أَنَّ امْرَأَةَ رِفَاعَةَ الْقُرَظِيِّ جَاءَتْ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَتْ: إِنِّي كُنْتُ عِنْدَ رِفَاعَةَ. فَطَلَّقَنِي فَبَتَّ طَلاَقِي. فَتَزَوَّجْتُ عَبْدَ الرَّحْمٰنِ بْنِ الزُّبَيْرِ. وَإِنَّ مَا مَعَهُ مِثْلُ هُدْبَةِ الثَّوْبِ. فَتَبَسَّمَ النَّبِيُّ ﷺ فَقَالَ: «**أَتُرِيدِينَ أَنْ تَرْجِعِي إِلَى رِفَاعَةَ؟ لاَ. حَتَّى تَذُوقِي عُسَيْلَتَهُ وَيَذُوقَ عُسَيْلَتَكِ**».

1933 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ قَالَ: سَمِعْتُ سَلْمَ بْنَ زَرِيرٍ يُحَدِّثُ عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ، فِي الرَّجُلِ تَكُونُ لَهُ الْمَرْأَةُ فَيُطَلِّقُهَا. فَيَتَزَوَّجُهَا رَجُلٌ فَيُطَلِّقُهَا قَبْلَ أَنْ يَدْخُلَ بِهَا. أَتَرْجِعُ إِلَى الأَوَّلِ؟ قَالَ: «**لاَ. حَتَّى يَذُوقَ الْعُسَيْلَةَ**».

33 ـ بابُ المُحَلِّلِ والمُحَلَّلِ لَهُ

1934 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا أَبُو عَامِرٍ، عَنْ زَمْعَةَ بْنِ صَالِحٍ، عَنْ سَلَمَةَ بْنِ وَهْرَامٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ الْمُحَلِّلَ وَالْمُحَلَّلَ لَهُ.

1935 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ الْبَخْتَرِيِّ الْوَاسِطِيُّ. حَدَّثَنَا أَبُو أُسَامَةَ، عَنِ ابْنِ عَوْنٍ؛ وَمُجَالِدٌ عَنِ الشَّعْبِيِّ، عَنِ الْحٰرِثِ، عَنْ عَلِيٍّ؛ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ الْمُحَلِّلَ وَالْمُحَلَّلَ لَهُ.

another to make it lawful for her to return to her former husband; and such as divorces his wife irrevocably and accepts this operation).

1936- It is narrated on the authority of Uqbah Ibn Amir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Should I not guide you to the male-goat that is borrowed (from amongst men)?" they said: "Yes, O Messenger of Allah." He said: "It is the Muhallil (such as marries a woman who is irrevocably divorced by another to make it lawful for her to return to her former husband): Allah sends His Curses upon the Muhallil and the Muhallal (such as divorces his wife irrevocably and accepts this operation)."

[34] Suckling Forbids What The Blood Relation Forbids

1937- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Suckling forbids what the blood relation forbids."

1938- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" was asked to marry the daughter of Hamzah Ibn Abd Al-Muttalib (his paternal uncle), thereupon he said: "He is my foster-brother (in addition to his being my paternal uncle), and verily, suckling forbids what the blood relation forbids."

1939- It is narrated on the authority of Zainab Bint Abu Salamah that Umm Habibah told her: I said: "O Allah's Apostle! Marry my sister Azzah." The Prophet "Allah's blessing and peace be upon him" said: "Do you like that?" I replied: "Yes, for even now I am not your only wife and the one (in my sight) who has the most right to share the good with me is my sister." The Prophet "Allah's blessing and peace be upon him" said: "But that is not lawful for me." I said: "We are discussing that you want to marry Durrah, daughter of Abu Salamah." He said: "(You mean) the daughter of Umm Salamah?" I said: "Yes." He said: "Even if she were not my step-daughter, she would be unlawful for me to marry since she is my foster niece. Abu Salamah and I were suckled by Thuwaibah. So you should not offer to me your daughters or your sisters (in marriage)."

(...) The same is narrated on the authority of Zainab Bint Umm Salamah from Umm Habibah from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

[35] A Single Suck Or Two Never Forbids Anything

1940- It is narrated on the authority of Umm Al-Fadl that she said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Neither

1936 ـ **حدّثنا** يَحْيَىٰ بْنُ عُثْمَانَ بْنِ صَالِحٍ الْمِصْرِيُّ. حَدَّثَنَا أَبِي. قَالَ: سَمِعْتُ اللَّيْثَ بْنَ سَعْدٍ يَقُولُ: قَالَ لِي أَبُو مُصْعَبٍ مِشْرَحُ بْنُ هَاعَانَ، قَالَ عُقْبَةُ بْنُ عَامِرٍ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَلاَ أُخْبِرُكُمْ بِالتَّيْسِ الْمُسْتَعَارِ؟»** قَالُوا: بَلَىٰ. يَا رَسُولَ اللَّهِ. قَالَ: **«هُوَ الْمُحَلِّلُ. لَعَنَ اللَّهُ الْمُحَلِّلَ وَالْمُحَلَّلَ لَهُ»**.

34 ـ بابٌ «يَحْرُمُ مِنَ الرَّضَاعِ ما يَحْرُمُ مِنَ النَّسَبِ»

1937 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنِ الْحَجَّاجِ، عَنِ الْحَكَمِ، عَنْ عِرَاكِ بْنِ مَالِكٍ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«يَحْرُمُ مِنَ الرَّضَاعِ مَا يَحْرُمُ مِنَ النَّسَبِ»**.

1938 ـ **حدّثنا** حُمَيْدُ بْنُ مَسْعَدَةَ، وَأَبُو بَكْرِ بْنُ خَلاَّدٍ. قَالاَ: حَدَّثَنَا خَالِدُ بْنُ الْحَرِثِ. حَدَّثَنَا سَعِيدٌ، عَنْ قَتَادَةَ، عَنْ جَابِرِ بْنِ زَيْدٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أُرِيدَ عَلَى بِنْتِ حَمْزَةَ بْنِ عَبْدِ الْمُطَّلِبِ. فَقَالَ: **«إِنَّهَا ابْنَةُ أَخِي مِنَ الرَّضَاعَةِ. وَإِنَّهُ يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»**.

1939 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ؛ أَنَّ زَيْنَبَ بِنْتَ أَبِي سَلَمَةَ حَدَّثَتْهُ أَنَّ أُمَّ حَبِيبَةَ حَدَّثَتْهَا أَنَّهَا قَالَتْ لِرَسُولِ اللَّهِ ﷺ: انْكِحْ أُخْتِي عَزَّةَ. قَالَ رَسُولُ اللَّهِ ﷺ: **«أَتُحِبِّينَ ذٰلِكَ؟»** قَالَتْ: نَعَمْ. يَا رَسُولَ اللَّهِ فَلَسْتُ لَكَ بِمُخْلِيَةٍ. وَأَحَقُّ مَنْ شَرِكَنِي فِي خَيْرٍ أُخْتِي. قَالَ رَسُولُ اللَّهِ ﷺ: **«فَإِنَّ ذٰلِكَ لاَ يَحِلُّ لِي»** قَالَتْ: فَإِنَّا نَتَحَدَّثُ أَنَّكَ تُرِيدُ أَنْ تَنْكِحَ دُرَّةَ بِنْتَ أَبِي سَلَمَةَ. فَقَالَ: **«بِنْتَ أُمِّ سَلَمَةَ؟»** قَالَتْ: نَعَمْ. قَالَ رَسُولُ اللَّهِ ﷺ: **«فَإِنَّهَا لَوْ لَمْ تَكُنْ رَبِيبَتِي فِي حَجْرِي مَا حَلَّتْ لِي. إِنَّهَا لابْنَةُ أَخِي مِنَ الرَّضَاعَةِ. أَرْضَعَتْنِي وَأَبَاهَا ثُوَيْبَةُ. فَلاَ تَعْرِضْنَ عَلَيَّ أَخَوَاتِكُنَّ وَلاَ بَنَاتِكُنَّ»**.

حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ، عَنْ أُمِّ حَبِيبَةَ، عَنِ النَّبِيِّ ﷺ، نَحْوَهُ.

35 ـ بابٌ «لا تُحَرِّمُ المَصَّةُ ولا المَصَّتَانِ»

1940 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ. حَدَّثَنَا ابْنُ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ أَبِي الْخَلِيلِ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَرِثِ؛ أَنَّ أُمَّ الْفَضْلِ حَدَّثَتْهُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ تُحَرِّمُ الرَّضْعَةُ وَلاَ الرَّضْعَتَانِ أَوِ الْمَصَّةُ وَالْمَصَّتَانِ»**.

Suckling once or twice, nor a suck or two forbids (anything forbidden by blood relation)."

1941- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A suck or even two never forbids (anything forbidden by blood relation)."

1942- It is narrated on the authority of A'ishah that she said: From amongst what Allah revealed in the Qur'an, which was abrogated later: "Only ten sucklings or certain five (sucklings) could forbid (what is forbidden by the blood relation)."

[36] Giving Suck To The Young Man

1943- It is narrated on the authority of A'ishah that she said: Sahlah, daughter of Suhail came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I observe on the face of Abu Hudhaifah (my husband) some (traces of) disgust because of Salim's entering upon me." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Give suck to him (so that he would be unlawful for you to marry)." She said: "O Messenger of Allah! How should I give suck to him, and he is a young man?" the Messenger of Allah "Allah's blessing and peace be upon him" smiled and said: "No doubt, I know that he is a young man." Then, she gave suck to him, and came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've no longer seen on the face of Abu Hudhaifah (any traces of) disgust." He (Salim was of those who) attended (the holy battle of) Badr.

Comment: (The public of religious scholars and learnt men, their former and latter, in the earlier and the later times, unanimously agree on the fact that this is a uniquely special commandment, particular only to this case in issue, for the suckling which forbids what is forbidden by the blood relation should be given to a babe of no more than two years; and if the child became over two years, suckling becomes of no effect in that respect. It is well-known that adoption was practiced by the Arabs, as well as by others; and it remained as such among the Arabs for a long time until it was abrogated by Allah in the Qur'an. The Messenger of Allah "Allah's blessing and peace be upon him" himself adopted Zaid Ibn Harithah before his Prophetic Mission, and called him Zaid Ibn Muhammad. Salim also was adopted by Abu Hudhaifah. But when it was revealed: "nor has He made your adopted sons your sons. Such is (only) your (manner of) speech by your mouths. But Allah tells (you) the Truth, and He shows the (right) Way: Call them by (the names of) their fathers: that is juster in the sight of

1941 ـ **حدّثنا** مُحَمَّدُ بْنُ خَالِدِ بْنِ خِدَاشٍ. حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، عَنِ ابْنِ أَبِي مُلَيْكَةَ، عَنْ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تُحَرِّمُ الْمَصَّةُ وَالْمَصَّتَانِ**».

1942 ـ **حدّثنا** عَبْدُ الْوَارِثِ بْنُ عَبْدِ الصَّمَدِ بْنِ عَبْدِ الْوَارِثِ. حَدَّثَنَا أَبِي. حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ؛ أَنَّهَا قَالَتْ: كَانَ فِيمَا أَنْزَلَ اللَّهُ مِنَ الْقُرْآنِ، ثُمَّ سَقَطَ: لاَ يُحَرِّمُ إِلاَّ عَشْرُ رَضَعَاتٍ أَوْ خَمْسٌ مَعْلُومَاتٌ.

36 ـ بابُ رَضَاعِ الكَبِيرِ

1943 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: جَاءَتْ سَهْلَةُ بِنْتُ سُهَيْلٍ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنِّي أَرَى فِي وَجْهِ أَبِي حُذَيْفَةَ الْكَرَاهِيَةَ مِنْ دُخُولِ سَالِمٍ عَلَيَّ. فَقَالَ النَّبِيُّ ﷺ: «**أَرْضِعِيهِ**» قَالَتْ: كَيْفَ أُرْضِعُهُ وَهُوَ رَجُلٌ كَبِيرٌ؟ فَتَبَسَّمَ رَسُولُ اللَّهِ ﷺ وَقَالَ: «**قَدْ عَلِمْتُ أَنَّهُ رَجُلٌ كَبِيرٌ**». فَفَعَلَتْ. فَأَتَتِ النَّبِيَّ ﷺ فَقَالَتْ: مَا رَأَيْتُ فِي وَجْهِ أَبِي حُذَيْفَةَ شَيْئاً أَكْرَهُهُ بَعْدُ. وَكَانَ شَهِدَ بَدْراً.

Allah. But if you know not their father's (names, call them) your Brothers in Faith, or your Mawlas. But there is no blame on you if you make a mistake therein: (what counts is) the intention of your hearts: and Allah is Oft-Forgiving, Most Merciful" (Al-Ahzab 4:5) this habit was abrogated. Before abrogating the adoption, Salim lived in the same residence of Abu Hudhaifah, and thus he used to come in and out of the house whenever he liked. According to adoption, it was lawful for him to enter upon Sahlah, as a son enters upon his mother. But when this was abrogated, it became unlawful for him to see her except in the way a strange one would see her. Abu Hudhaifah was disturbed by that, and he was not to accept that a strange one should see his wife; and this was why the traces of disgust were visible on his face. And, since it was much more difficult for Salim to get an independent residence, the Messenger of Allah "Allah's blessing and peace be upon him" commanded her to give suck to him in order to become unlawful for him to marry, even though lawful for him to see, as it is lawful for a foster-son to see his mother. But, how could she give suck to him and he is a young man? How could she show her breast to him, and he became strange to her, and it was unlawful for him to see anything from her? The solution is very simple: let her get milk from her breast into a cup, and give it to him. But, as well as the adoption has been abrogated, this commandment should, by no means, be put to practice under any circumstances.)

1944- It is narrated on the authority of A'ishah that she said: The Holy Verse pertaining to stoning (the adulterers to death), and suckling the young man ten times (in order to make him a foster-son) was revealed (and then it was abrogated), even though it remained written in a document underneath my bed. But, when the Messenger of Allah "Allah's blessing and peace be upon him" died, and we were busy by (the affairs of) his death (and burial ceremonies), a domestic goat entered and ate it.

[37] There Is No Suckling (Effective) After Weaning

1945- It is narrated on the authority of A'ishah that once, the Messenger of Allah "Allah's blessing and peace be upon him" entered into her, and found a man sitting with her. He asked: "Who is that?" she said: "He is my foster-brother." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Consider such as you admit to your houses! No doubt, the suckling (which forbids what is forbidden by the blood relation) is that, which satisfies hunger" (and this is not so unless it is given to a babe of no more than two years).

1944 ـ **حدّثنا** أَبُو سَلَمَةَ يَحْيَىٰ بْنُ خَلَفٍ. حَدَّثَنَا عَبْدُ الأَعْلَىٰ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي بَكْرٍ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ. وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْقَاسِمِ عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: لَقَدْ نَزَلَتْ آيَةُ الرَّجْمِ، وَرَضَاعَةُ الْكَبِيرِ عَشْراً. وَلَقَدْ كَانَ فِي صَحِيفَةٍ تَحْتَ سَرِيرِي. فَلَمَّا مَاتَ رَسُولُ اللَّهِ ﷺ وَتَشَاغَلْنَا بِمَوْتِهِ، دَخَلَ دَاجِنٌ فَأَكَلَهَا.

37 ـ بابٌ «لا رَضَاعَ بَعْدَ فِصَالٍ»

1945 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ، عَنْ أَشْعَثَ بْنِ أَبِي الشَّعْثَاءِ، عَنْ أَبِيهِ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ أَنَّ النَّبِيَّ ﷺ دَخَلَ عَلَيْهَا وَعِنْدَهَا رَجُلٌ. فَقَالَ: «**مَنْ هٰذَا؟**» قَالَتْ: هٰذَا أَخِي. قَالَ: «**انْظُرُوا مَنْ تُدْخِلْنَ عَلَيْكُنَّ. فَإِنَّ الرَّضَاعَةَ مِنَ الْمَجَاعَةِ**».

1946- It is narrated on the authority of Abdullah Ibn Az-Zubair that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no suckling (that is effective in forbidding what is forbidden by blood relations) but that which opens the intestines (of a babe and satisfies his hunger)."

1947- It is narrated on the authority of Zainab, daughter of Abu Salamah, that she told that all the wives of the Messenger of Allah "Allah's blessing and peace be upon him" (barring A'ishah) differed from A'ishah, and rejected to admit anyone who received suckling similar to that given to Salim, the freed slave of Abu Hudhaifah (i.e. to be suckled during his youth), and said in this respect: "What does make us know (that this commandment is effective)? Perhaps, this was a concession given only to Salim (in particular)."

[38] The Foster-Father

1948- It is narrated on the authority of A'ishah that she said: My foster-uncle Aflah Ibn Abu Qu'ais came to me, and asked my permission to be admitted after veiling had been practiced, and I did not give him permission until the Messenger of Allah "Allah's blessing and peace be upon him" came to visit me, (and I told him of that), thereupon he said: "He is your foster-uncle: so, admit him!" I said: "But it is the woman (i.e. the wife of his brother) and not the man that gave suck to me." He said: "(He is your foster-uncle) let your hands (or your right hand) be covered with dust!"

1949- It is narrated on the authority of A'ishah that she said: My foster-uncle came and asked permission to be admitted to me, and I did not admit him. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let your foster-uncle visit you!" I said: "But it is the woman (his brother's wife) and not the man that gave suck to me." He said: "He is your foster-uncle: let him visit you!"

[39] When One Embraces Islam And He Has Two Sisters In Wedlock

1950- It is narrated on the authority of Ad-Dailami that he said: I came to the Messenger of Allah "Allah's blessing and peace be upon him", and I combined two sisters in wedlock during the pre-Islamic period of ignorance. On that he said: "When you return, you should divorce one (of them, since it is unlawful to combine two sisters in wedlock)."

1951- It is narrated on the authority of Ad-Dahhak Ibn Fairuz Ad-Dailami from his father that he said: I came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of

1946 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَخْبَرَنِي ابْنُ لَهِيعَةَ عَنْ أَبِي الأَسْوَدِ، عَنْ عُرْوَةَ، عَنْ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ رَضَاعَ إِلاَّ مَا فَتَقَ الأَمْعَاءَ»**.

1947 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ لَهِيعَةَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ وَعَقِيلٍ عَنِ ابْنِ شِهَابٍ. أَخْبَرَنِي أَبُو عُبَيْدَةَ بْنُ عَبْدِ اللَّهِ بْنِ زَمْعَةَ، عَنْ أُمِّهِ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ؛ أَنَّهَا أَخْبَرَتْهُ أَنَّ أَزْوَاجَ النَّبِيِّ ﷺ كُلَّهُنَّ خَالَفْنَ عَائِشَةَ وَأَبَيْنَ أَنْ يَدْخُلَ عَلَيْهِنَّ أَحَدٌ بِمِثْلِ رَضَاعَةِ سَالِمٍ، مَوْلَى أَبِي حُذَيْفَةَ. وَقُلْنَ: وَمَا يُدْرِينَا؟ لَعَلَّ ذٰلِكَ كَانَتْ رُخْصَةً لِسَالِمٍ وَحْدَهُ.

38 ـ بَابُ لَبَنِ الفَحْلِ

1948 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: أَتَانِي عَمِّي مِنَ الرَّضَاعَةِ، أَفْلَحُ بْنُ أَبِي قُعَيْسٍ يَسْتَأْذِنُ عَلَيَّ، بَعْدَ مَا ضُرِبَ الْحِجَابُ. فَأَبَيْتُ أَنْ آذَنَ لَهُ. حَتَّى دَخَلَ عَلَيَّ النَّبِيُّ ﷺ فَقَالَ: **«إِنَّهُ عَمُّكِ، فَأْذَنِي لَهُ»** فَقُلْتُ: إِنَّمَا أَرْضَعَتْنِي الْمَرْأَةُ وَلَمْ يُرْضِعْنِي الرَّجُلُ؟ قَالَ: **«تَرِبَتْ يَدَاكِ، أَوْ يَمِينُكِ»**.

1949 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: جَاءَ عَمِّي مِنَ الرَّضَاعَةِ يَسْتَأْذِنُ عَلَيَّ، فَأَبَيْتُ أَنْ آذَنَ لَهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«فَلْيَلِجْ عَلَيْكِ عَمُّكِ»** فَقُلْتُ: إِنَّمَا أَرْضَعَتْنِي الْمَرْأَةُ وَلَمْ يُرْضِعْنِي الرَّجُلُ. قَالَ: **«إِنَّهُ عَمُّكِ. فَلْيَلِجْ عَلَيْكِ»**.

39 ـ بَابُ الرَّجُلِ يُسْلِمُ وعِنْدَهُ أُخْتَانِ

1950 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ السَّلاَمِ بْنُ حَرْبٍ عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي فَرْوَةَ، عَنْ أَبِي وَهْبٍ الْجَيْشَانِيِّ، عَنْ أَبِي خِرَاشٍ الرُّعَيْنِيِّ، عَنِ الدَّيْلَمِيِّ؛ قَالَ: قَدِمْتُ عَلَى رَسُولِ اللَّهِ ﷺ، وَعِنْدِي أُخْتَانِ تَزَوَّجْتُهُمَا فِي الْجَاهِلِيَّةِ. فَقَالَ: **«إِذَا رَجَعْتَ فَطَلِّقْ إِحْدَاهُمَا»**.

1951 ـ **حدّثنا** يُونُسُ بْنُ عَبْدِ الأَعْلَىٰ. حَدَّثَنَا ابْنُ وَهْبٍ. أَخْبَرَنِي ابْنُ لَهِيعَةَ، عَنْ أَبِي وَهْبٍ الْجَيْشَانِيِّ. حَدَّثَهُ أَنَّهُ سَمِعَ الضَّحَّاكَ بْنَ فَيْرُوزَ الدَّيْلَمِيَّ يُحَدِّثُ عَنْ أَبِيهِ؛ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنِّي أَسْلَمْتُ وَتَحْتِي أُخْتَانِ. قَالَ رَسُولُ اللَّهِ ﷺ لِي: **«طَلِّقْ أَيَّتَهُمَا شِئْتَ»**.

Allah! I embraced Islam, and I combined two sisters in marriage." On that the Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Divorce whomever you like of them."

[40] When A Man Embraces Islam And He Has More Than Four Wives

1952- It is narrated on the authority of Qais Ibn Al-Harith that he said: I embraced Islam, and I had eight wives. I came to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon he said: "Choose for of them (and keep them as your wives, and divorce the others)."

1953- It is narrated on the authority of Ibn Umar that he said: Ghailan Ibn Salamah embraced Islam, and he has ten wives, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Take only four of them (as your wives, and leave the others)."

[41] The Conditions In Marriage

1954- It is narrated on the authority of Uqbah Ibn Amir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The conditions that have the most right to be fulfilled are those, therewith you make lawful the private parts (of your wives)."

1955- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whatever dower, present or gift are offered before the wedlock should be given to her (the wife), and whatever is offered after the wedlock should be given to him (i.e. the guardian) to whom he (the husband) offers it; and it is most fitting for a man to be honoured because of his sister or daughter."

[42] When A Man Manumits His Slave-Girl And Then Marries Her

1956- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has a slave-girl, whom he teaches the good manners perfectly, and educates her well and then manumits and marries her, will receive a double reward; and anyone from amongst the people of the Scripture who believes in his Prophet, and then has faith in Muhammad, will have a double reward; and any slave who fulfills Allah's Right and the rights of his masters (upon him perfectly) will have a double reward." Salih (a sub-narrator) said: Ash-Sha'bi said: I've given you this (narration) with no trouble even though one might ride (his mount on journey) to Medina to get what is less than it.

40 ـ بابُ الرَّجُلِ يُسْلِمُ وعِنْدَهُ أَكْثَرُ مِنْ أَرْبَعِ نِسْوَةٍ

1952 ـ **حدّثنا** أَحْمَدُ بْنُ إِبْرَاهِيمَ الدَّوْرَقِيُّ. حَدَّثَنَا هُشَيْمٌ عَنِ ابْنِ أَبِي لَيْلَى، عَنْ حُمَيْضَةَ بِنْتِ الشَّمَرْدَلِ، عَنْ قَيْسِ بْنِ الْحَرِثِ؛ قَالَ: أَسْلَمْتُ وَعِنْدِي ثَمَانِ نِسْوَةٍ. فَأَتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ ذٰلِكَ لَهُ. فَقَالَ: **«اخْتَرْ مِنْهُنَّ أَرْبَعاً»**.

1953 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: أَسْلَمَ غَيْلاَنُ بْنُ سَلَمَةَ وَتَحْتَهُ عَشْرُ نِسْوَةٍ. فَقَالَ لَهُ النَّبِيُّ ﷺ: **«خُذْ مِنْهُنَّ أَرْبَعاً»**.

41 ـ بابُ الشَّرْطِ في النِّكَاحِ

1954 ـ **حدّثنا** عَمْرُو بْنُ عَبْدِ اللَّهِ، وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالاَ: حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عَبْدِ الْحَمِيدِ بْنِ جَعْفَرٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ مَرْثَدِ بْنِ عَبْدِ اللَّهِ، عَنْ عُقْبَةَ بْنِ عَامِرٍ، عَنِ النَّبِيِّ ﷺ قَالَ: **«إِنَّ أَحَقَّ الشَّرْطِ أَنْ يُوفَى بِهِ مَا اسْتَحْلَلْتُمْ بِهِ الْفُرُوجَ»**.

1955 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا أَبُو خَالِدٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا كَانَ مِنْ صَدَاقٍ أَوْ حِبَاءٍ أَوْ هِبَةٍ قَبْلَ عِصْمَةِ النِّكَاحِ فَهُوَ لَهَا. وَمَا كَانَ بَعْدَ عِصْمَةِ النِّكَاحِ فَهُوَ لِمَنْ أُعْطِيَهُ أَوْ حُبِيَ. وَأَحَقُّ مَا يُكْرَمُ الرَّجُلُ بِهِ، ابْنَتُهُ أَوْ أُخْتُهُ»**.

42 ـ بابُ الرَّجُلِ يُعْتِقُ أَمَتَهُ ثم يَتَزَوَّجُها

1956 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ، أَبُو سَعِيدٍ الأَشَجُّ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ عَنْ صَالِحِ بْنِ صَالِحِ بْنِ حَيٍّ، عَنِ الشَّعْبِيِّ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَىٰ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ كَانَتْ لَهُ جَارِيَةٌ فَأَدَّبَهَا فَأَحْسَنَ أَدَبَهَا. وَعَلَّمَهَا فَأَحْسَنَ تَعْلِيمَهَا. ثُمَّ أَعْتَقَهَا وَتَزَوَّجَهَا، فَلَهُ أَجْرَانِ. وَأَيُّمَا رَجُلٍ مِنْ أَهْلِ الْكِتَابِ آمَنَ بِنَبِيِّهِ وَآمَنَ بِمُحَمَّدٍ فَلَهُ أَجْرَانِ. وَأَيُّمَا عَبْدٍ مَمْلُوكٍ أَدَّى حَقَّ اللَّهِ عَلَيْهِ وَحَقَّ مَوَالِيهِ، فَلَهُ أَجْرَانِ»**.

قَالَ صَالِحٌ: قَالَ الشَّعْبِيُّ: قَدْ أَعْطَيْتُكَهَا بِغَيْرِ شَيْءٍ. إِنْ كَانَ الرَّاكِبُ لَيَرْكَبُ فِيمَا دُونَهَا إِلَى الْمَدِينَةِ.

1957- It is narrated on the authority of Anas that he said: Safiyyah fell (at first) on the lot of Dihyah Al-Kalbi, and then she became in the portion of the Messenger of Allah "Allah's blessing and peace be upon him", who manumitted and married her, and made the manumission her dower. Hammad said: Abd Al-Aziz said to Thabit: O Abu Muhammad! Did you ask Anas what dower he gave to her? He said: Her dower was (the freedom granted to) herself.

1958- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" manumitted Safiyyah, and made such manumission her dower, and he married her (with that dower).

[43] When A Slave Marries Without The Leave Of His Master

1959- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If a slave marries without the leave of his master, he will become an adulterer" (in case he has sexual relation according to that marriage for his marriage will be invalid).

1960- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When any slave marries without the leave of his masters, he then is an adulterer" (in case he has sexual relation according to that marriage).

[44] It Is Forbidden To Practice The Temporary Marriage Of Enjoyment

1961- It is narrated on the authority of Ali Ibn Abu Talib that on the day of (the holy battle of) Khaibar, the Messenger of Allah "Allah's blessing and peace be upon him" forbade the enjoyment of women (through the temporary marriage) as well as (he forbade eating the flesh of) donkeys.

1962- It is narrated on the authority of Ar-Rabie Ibn Sabrah from his father that he said: We set out in the company of the Messenger of Allah "Allah's blessing and peace be upon him" in the (year of the) Farewell Hajj, and they said to him: "O Messenger of Allah! Celibacy has become hard upon us." On that he said: "(There is no harm on you if) you enjoy of those women (through contracting temporary marriage with them)." We went to them, but they refused to get married to us unless we should fix a deadline between us (at which the marriage would come to an end). They made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", who said: "Fix a term between you and them." I set out in the company of a cousin of mine, and both of us had a cloak, and his was better than mine, but I was younger (and healthier) than him. We came upon a woman who (considered our cloaks and then) said: "Both are cloaks." I got married to her, and spent the night with her. When it was the

1957 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنَا ثَابِتٌ وَعَبْدُ الْعَزِيزِ عَنْ أَنَسٍ؛ قَالَ: صَارَتْ صَفِيَّةُ لِدِحْيَةَ الْكَلْبِيِّ. ثُمَّ صَارَتْ لِرَسُولِ اللَّهِ ﷺ بَعْدُ. فَتَزَوَّجَهَا وَجَعَلَ عِتْقَهَا صَدَاقَهَا.

قَالَ حَمَّادٌ: فَقَالَ عَبْدُ الْعَزِيزِ لِثَابِتٍ: يَا أَبَا مُحَمَّدٍ أَنْتَ سَأَلْتَ أَنَساً مَا أَمْهَرَهَا؟ قَالَ: أَمْهَرَهَا نَفْسَهَا.

1958 ـ **حدّثنا** حُبَيْشُ بْنُ مُبَشِّرٍ. حَدَّثَنَا يُونُسُ بْنُ مُحَمَّدٍ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ أَيُّوبَ، عَنْ عِكْرِمَةَ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَعْتَقَ صَفِيَّةَ، وَجَعَلَ عِتْقَهَا صَدَاقَهَا، وَتَزَوَّجَهَا.

43 ـ بابُ تَزْوِيجِ العَبْدِ بغَيْرِ إذْنِ سَيِّدِهِ

1959 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. حَدَّثَنَا عَبْدُ الْوَارِثِ بْنُ سَعِيدٍ. حَدَّثَنَا الْقَاسِمُ بْنُ عَبْدِ الْوَاحِدِ، عَنْ عَبْدِ اللَّهِ بْنِ مُحَمَّدِ بْنِ عَقِيلٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا تَزَوَّجَ الْعَبْدُ بِغَيْرِ إِذْنِ سَيِّدِهِ، كَانَ عَاهِراً**».

1960 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ وَصَالِحُ بْنُ مُحَمَّدِ بْنِ يَحْيَىٰ بْنِ سَعِيدٍ. قَالاَ: حَدَّثَنَا أَبُو غَسَّانَ، مَالِكُ بْنُ إِسْمَاعِيلَ، حَدَّثَنَا مَنْدَلٌ عَنِ ابْنِ جُرَيْجٍ، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَيُّمَا عَبْدٍ تَزَوَّجَ بِغَيْرِ إِذْنِ مَوَالِيهِ، فَهُوَ زَانٍ**».

44 ـ بابُ النَّهْيِ عَنْ نِكَاحِ المُتْعَةِ

1961 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا بِشْرُ بْنُ عُمَرَ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عَبْدِ اللَّهِ وَالْحَسَنِ، ابْنَيْ مُحَمَّدِ بْنِ عَلِيٍّ، عَنْ أَبِيهِمَا، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَىٰ عَنْ مُتْعَةِ النِّسَاءِ يَوْمَ خَيْبَرَ، وَعَنْ لُحُومِ الْحُمُرِ الإِنْسِيَّةِ.

1962 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ عَبْدِ الْعَزِيزِ بْنِ عُمَرَ، عَنِ الرَّبِيعِ بْنِ سَبْرَةَ، عَنْ أَبِيهِ؛ قَالَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي حَجَّةِ الْوَدَاعِ. فَقَالُوا: يَا رَسُولَ اللَّهِ إِنَّ الْعُزْبَةَ قَدِ اشْتَدَّتْ عَلَيْنَا. قَالَ: «**فَاسْتَمْتِعُوا مِنْ هٰذِهِ النِّسَاءِ**». فَأَتَيْنَاهُنَّ. فَأَبَيْنَ أَنْ يَنْكِحْنَنَا إِلاَّ أَنْ نَجْعَلَ بَيْنَنَا وَبَيْنَهُنَّ أَجَلاً. فَذَكَرُوا ذٰلِكَ لِلنَّبِيِّ ﷺ. فَقَالَ: «**اجْعَلُوا بَيْنَكُمْ وَبَيْنَهُنَّ أَجَلاً**». فَخَرَجْتُ أَنَا وَابْنُ عَمٍّ لِي. مَعَهُ بُرْدٌ وَمَعِي بُرْدٌ. وَبُرْدُهُ أَجْوَدُ مِنْ بُرْدِي وَأَنَا أَشَبُّ مِنْهُ. فَأَتَيْنَا عَلَى امْرَأَةٍ، فَقَالَتْ: بُرْدٌ كَبُرْدٍ. فَتَزَوَّجْتُهَا فَمَكَثْتُ عِنْدَهَا تِلْكَ اللَّيْلَةَ. ثُمَّ غَدَوْتُ وَرَسُولُ اللَّهِ ﷺ

morning I set out while the Messenger of Allah "Allah's blessing and peace be upon him" was standing between the Corner and the gate (of the Ka'bah) saying: "O people! I had (earlier) given you permission to benefit from (the privilege of contracting temporary marriage with) women. But, indeed, Allah has forbidden that to the Day of Judgement. So, whoever has anyone of them should let her off, and do not take anything from what you had given to them (as dower)."

1963- It is narrated on the authority of Ibn Umar that he said: When Umar Ibn Al-Khattab became the caliph, he addressed the people saying: "No doubt, the Messenger of Allah "Allah's blessing and peace be upon him" had given us permission to enjoy (of women through temporary marriage) thrice (or for three days) after which he forbade it. By Allah! I do not know that anyone practices such enjoyment (of women through temporary marriage) while he is married but that I will stone him to death, unless he brings four (witnesses) to bear testimony that the Messenger of Allah "Allah's blessing and peace be upon him" made it lawful after he had forbidden it."

[45] When One In The State Of Ihram Marries

1964- It is narrated on the authority of Yazid Ibn Al-Asamm that he said: My maternal aunt Maimunah Bint Al-Harith said to me: The Messenger of Allah "Allah's blessing and peace be upon him" married me while he was not in the state of Ihram. She was a maternal aunt of both I and Ibn Abbas.

1965- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" got married (to one of his wives) while he was in the state of Ihram.

1966- It is narrated on the authority of Iban Ibn Uthman Ibn Affan from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is impermissible for such as in the state of Ihram to get married, nor (is it permissible for him) to give (anyone) in marriage, nor to demand the hand (of anyone)."

[46] What About The Equality (In Religion)

1967- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When such as of whose conduct and religion you approve comes to you (as a suitor), give him (your girls) in marriage; and if you do not do so, there will be an affliction and a great mischief (in the land)."

قَائِمٌ بَيْنَ الرُّكْنِ وَالْبَابِ، وَهُوَ يَقُولُ: «أَيُّهَا النَّاسُ إِنِّي قَدْ كُنْتُ أَذِنْتُ لَكُمْ فِي الاسْتِمْتَاعِ. أَلاَ وَإِنَّ اللَّهَ قَدْ حَرَّمَهَا إِلَى يَوْمِ الْقِيَامَةِ. فَمَنْ كَانَ عِنْدَهُ مِنْهُنَّ شَيْءٌ فَلْيُخَلِّ سَبِيلَهَا. وَلاَ تَأْخُذُوا مِمَّا آتَيْتُمُوهُنَّ شَيْئاً».

1963 ـ **حدّثنا** مُحَمَّدُ بْنُ خَلَفٍ الْعَسْقَلاَنِيُّ. حَدَّثَنَا الْفِرْيَابِيُّ عَنْ أَبَانَ بْنِ أَبِي حَازِمٍ، عَنْ أَبِي بَكْرِ بْنِ حَفْصٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: لَمَّا وَلِيَ عُمَرُ بْنُ الْخَطَّابِ، خَطَبَ النَّاسَ فَقَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ أَذِنَ لَنَا فِي الْمُتْعَةِ ثَلاَثاً، ثُمَّ حَرَّمَهَا. وَاللَّهِ لاَ أَعْلَمُ أَحَداً يَتَمَتَّعُ وَهُوَ مُحْصَنٌ إِلاَّ رَجَمْتُهُ بِالْحِجَارَةِ. إِلاَّ أَنْ يَأْتِيَنِي بِأَرْبَعَةٍ يَشْهَدُونَ أَنَّ رَسُولَ اللَّهِ ﷺ أَحَلَّهَا بَعْدَ إِذْ حَرَّمَهَا.

45 ـ بَابُ الْمُحْرِمِ يَتَزَوَّجُ

1964 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَى بْنُ آدَمَ. حَدَّثَنَا جَرِيرُ بْنُ حَازِمٍ. حَدَّثَنَا أَبُو فَزَارَةَ، عَنْ يَزِيدَ بْنِ الأَصَمِّ. حَدَّثَتْنِي مَيْمُونَةُ بِنْتُ الْحَرِثِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ تَزَوَّجَهَا وَهُوَ حَلاَلٌ.

قَالَ: وَكَانَتْ خَالَتِي وَخَالَةَ ابْنِ عَبَّاسٍ.

1965 ـ **حدّثنا** أَبُو بَكْرِ بْنُ خَلاَّدٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ جَابِرِ بْنِ زَيْدٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ نَكَحَ وَهُوَ مُحْرِمٌ.

1966 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ رَجَاءٍ الْمَكِّيُّ، عَنْ مَالِكِ بْنِ أَنَسٍ، عَنْ نَافِعٍ، عَنْ نُبَيْهِ بْنِ وَهْبٍ، عَنْ أَبَانَ بْنِ عُثْمَانَ بْنِ عَفَّانَ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْمُحْرِمُ لاَ يَنْكِحُ وَلاَ يُنْكِحُ وَلاَ يَخْطُبُ».

46 ـ بَابُ الأَكْفَاءِ

1967 ـ **حدّثنا** مُحَمَّدُ بْنُ شَابُورٍ الرَّقِّيُّ. حَدَّثَنَا عَبْدُ الْحَمِيدِ بْنُ سُلَيْمَانَ الأَنْصَارِيُّ، أَخُو فُلَيْحٍ، عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ، عَنِ ابْنِ وَثِيمَةَ النَّصْرِيِّ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا أَتَاكُمْ مَنْ تَرْضَوْنَ خُلُقَهُ وَدِينَهُ فَزَوِّجُوهُ. إِلاَّ تَفْعَلُوا تَكُنْ فِتْنَةٌ فِي الأَرْضِ وَفَسَادٌ عَرِيضٌ».

1968- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Choose (such as the purest and the most fitting) for your sperms (i.e. children), marry those equal (to you in religion and conduct), and give them (your girls) in marriage."

[47] Fixing Day-And-Night Turns To One's Wives

1969- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has two wives, to one of whom he is inclined on the account of the other, on the Day of Judgement, he will come bending on one of his sides."

1970- It is narrated on the authority of A'ishah that whenever the Messenger of Allah "Allah's blessing and peace be upon him" set out on journey, he would draw lots among his wives (to take from among them the one upon whom the lot would fall).

1971- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to assign a day-and-night turn to (each one of) his wives, and do justice (in this respect as much as possible), and then he would say: "O Allah! This is my act in that which is within our capacity: so, do not blame me for that which is within Your Power, even though it is beyond my capacity."

[48] When A Woman Grants Her Day (And Night Turn) To Her Fellow-Wife

1972- It is narrated on the authority of A'ishah that she said: When Sawdah Bint Zam'ah grew old, she granted her day (and night turn) to A'ishah; and thus, the Messenger of Allah "Allah's blessing and peace be upon him" used to fix to A'ishah the day (and night turn) of Sawdah (in addition to her own day-and-night turn).

1973- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" got angry with Safiyyah Bint Huyai over something, thereupon she said to A'ishah: "O A'ishah! Do you wish to please the Messenger of Allah "Allah's blessing and peace be upon him" on my behalf, and I will give you that day (and night turn) of mine (this time only)?" she answered in the affirmative. She took a head-covering belonging to her, dyed with saffron, and sprinkled water over it so that it would become odorous, and then she sat by the side of the Messenger of Allah "Allah's blessing and peace be upon him". The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "O A'ishah! Move away from me: it is not your day (and night turn)." She said: "This is

1968 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا الْحَرِثُ بْنُ عِمْرَانَ الْجَعْفَرِيُّ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«تَخَيَّرُوا لِنُطَفِكُمْ وَانْكِحُوا الأَكْفَاءَ وَأَنْكِحُوا إِلَيْهِمْ»**.

47 ـ بَابُ القِسْمَةِ بَيْنَ النِّسَاءِ

1969 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ عَنْ هَمَّامٍ، عَنْ قَتَادَةَ، عَنِ النَّضْرِ بْنِ أَنَسٍ، عَنْ بَشِيرِ بْنِ نَهِيكٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ كَانَتْ لَهُ امْرَأَتَانِ، يَمِيلُ مَعَ إِحْدَاهُمَا عَلَى الأُخْرَى، جَاءَ يَوْمَ الْقِيَامَةِ، وَأَحَدُ شِقَّيْهِ سَاقِطٌ»**.

1970 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَى بْنُ يَمَانٍ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ إِذَا سَافَرَ أَقْرَعَ بَيْنَ نِسَائِهِ.

1971 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بْنُ يَحْيَى. قَالاَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ، عَنْ عَائِشَةَ؛ قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يَقْسِمُ بَيْنَ نِسَائِهِ، فَيَعْدِلُ، ثُمَّ يَقُولُ: **«اللَّهُمَّ هٰذَا فِعْلِي فِيمَا أَمْلِكُ. فَلاَ تَلُمْنِي فِيمَا تَمْلِكُ وَلاَ أَمْلِكُ»**.

48 ـ بَابُ المَرْأَةِ تَهَبُ يَوْمَهَا لِصَاحِبَتِهَا

1972 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عُقْبَةُ بْنُ خَالِدٍ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، جَمِيعاً عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: لَمَّا كَبِرَتْ سَوْدَةُ بِنْتُ زَمْعَةَ وَهَبَتْ يَوْمَهَا لِعَائِشَةَ. فَكَانَ رَسُولُ اللَّهِ ﷺ يَقْسِمُ لِعَائِشَةَ بِيَوْمِ سَوْدَةَ.

1973 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بْنُ يَحْيَى. قَالاَ: حَدَّثَنَا عَفَّانُ. حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ ثَابِتٍ، عَنْ سُمَيَّةَ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ وَجَدَ عَلَى صَفِيَّةَ بِنْتِ حُيَيٍّ فِي شَيْءٍ. فَقَالَتْ صَفِيَّةُ: يَا عَائِشَةُ هَلْ لَكِ أَنْ تُرْضِي رَسُولَ اللَّهِ ﷺ عَنِّي، وَلَكِ يَوْمِي؟ قَالَتْ: نَعَمْ. فَأَخَذَتْ خِمَاراً لَهَا مَصْبُوغاً بِزَعْفَرَانٍ. فَرَشَّتْهُ بِالْمَاءِ لِيَفُوحَ رِيحُهُ. قَالَ: فَعَدَتْ إِلَى جَنْبِ رَسُولِ اللَّهِ ﷺ. فَقَالَ النَّبِيُّ ﷺ: **«يَا عَائِشَةُ إِلَيْكِ عَنِّي. إِنَّهُ لَيْسَ يَوْمَكِ»** فَقَالَتْ: ﴿ذَٰلِكَ فَضْلُ ٱللَّهِ يُؤْتِيهِ مَن يَشَآءُ﴾ [الحديد: 21] فَأَخْبَرَتْهُ بِالأَمْرِ، فَرَضِيَ عَنْهَا.

the bounty of Allah, which He gives to such as He pleases." She told him of the matter, and he grew well-pleased with her.

1974- It is narrated on the authority of A'ishah that she said: The Holy Statement: "and such settlement is best" (An-Nisa 128) was revealed in connection with a man, who had a wife, and she remained with him for a long time, during which she gave birth to many children from him; and he wanted to replace her (with another one), but she agreed with him to leave her, provided that he would not fix a (day-and-night) turn for her.

[49] The Intercession In Marriage

1975- It is narrated on the authority of Abu Ruhm that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best intercession (one ever does) is to use one's good offices between both (man and woman) concerning marriage."

1976- It is narrated on the authority of A'ishah that she said: Usamah stumbled on the threshold of the gate thereupon (he fell down and) his face was wounded. The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Remove the blood from his (face)." But I disgusted that, and the Messenger of Allah "Allah's blessing and peace be upon him" started sucking the blood and ejecting it from his face. Then he said: "Had Usamah been a girl, surely, I would have adorned him, and dressed him (in the best dresses) until I made him attractive (to all the people)."

[50] The Good Companionship Of Women

1977- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The best among you is the best of you to deal with his wives; and I'm the best of you to deal with my wives."

1978- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best of you are these from amongst you, who have the best (companionship) with their women."

1979- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" preceded me (in running) and then I preceded him.

1980- It is narrated on the authority of A'ishah that she said: When the Messenger of Allah "Allah's blessing and peace be upon him" came back to Medina a short while after he had consummated marriage with Safiyyah Bint Huyai, the Ansari women came and told of her. I was disguised and

1974 ـ **حدّثنا** حَفْصُ بْنُ عَمْرٍو. حَدَّثَنَا عُمَرُ بْنُ عَلِيٍّ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ أَنَّهَا قَالَتْ: نَزَلَتْ هٰذِهِ الآيَةُ: ﴿وَالصُّلْحُ خَيْرٌ﴾ [النساء: 128] فِي رَجُلٍ كَانَتْ تَحْتَهُ امْرَأَةٌ قَدْ طَالَتْ صُحْبَتُهَا. وَوَلَدَتْ مِنْهُ أَوْلاَداً. فَأَرَادَ أَنْ يَسْتَبْدِلَ بِهَا. فَرَاضَتْهُ عَلَى أَنْ تُقِيمَ عِنْدَهُ وَلاَ يَقْسِمَ لَهَا.

49 ـ بابُ الشَّفَاعَةِ فِي التَّزْوِيجِ

1975 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا مُعَاوِيَةُ بْنُ يَحْيَىٰ. حَدَّثَنَا مُعَاوِيَةُ بْنُ يَزِيدَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ أَبِي الْخَيْرِ، عَنْ أَبِي رُهْمٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مِنْ أَفْضَلِ الشَّفَاعَةِ أَنْ يُشَفِّعَ بَيْنَ الاثْنَيْنِ فِي النِّكَاحِ»**.

1976 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا شَرِيكٌ عَنِ الْعَبَّاسِ بْنِ ذُرَيْحٍ، عَنِ الْبَهِيِّ، عَنْ عَائِشَةَ؛ قَالَتْ: عَثَرَ أُسَامَةُ بِعَتَبَةِ الْبَابِ. فَشُجَّ فِي وَجْهِهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«أَمِيطِي عَنْهُ الأَذَى»** فَتَقَذَّرْتُهُ. فَجَعَلَ يَمُصُّ عَنْهُ الدَّمَ وَيَمُجُّهُ عَنْ وَجْهِهِ. ثُمَّ قَالَ: **«لَوْ كَانَ أُسَامَةُ جَارِيَةً لَحَلَّيْتُهُ وَكَسَوْتُهُ حَتَّى أُنْفِقَهُ»**.

50 ـ بابُ حُسْنِ مُعَاشَرَةِ النِّسَاءِ

1977 ـ **حدّثنا** أَبُو بَكْرِ بْنُ خَلَفٍ، وَمُحَمَّدُ بْنُ يَحْيَىٰ. قَالاَ: حَدَّثَنَا أَبُو عَاصِمٍ عَنْ جَعْفَرِ بْنِ يَحْيَىٰ بْنِ ثَوْبَانَ، عَنْ عَمِّهِ عُمَارَةَ بْنِ ثَوْبَانَ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، عَنِ النَّبِيِّ ﷺ قَالَ: **«خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ. وَأَنَا خَيْرُكُمْ لِأَهْلِي»**.

1978 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا أَبُو خَالِدٍ عَنِ الأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«خِيَارُكُمْ خِيَارُكُمْ لِنِسَائِهِمْ»**.

1979 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ قَالَتْ: سَابَقَنِي النَّبِيُّ ﷺ فَسَبَقْتُهُ.

1980 ـ **حدّثنا** أَبُو بَدْرٍ، عَبَّادُ بْنُ الْوَلِيدِ. حَدَّثَنَا حَبَّانُ بْنُ هِلاَلٍ. حَدَّثَنَا مُبَارَكُ بْنُ فَضَالَةَ، عَنْ عَلِيِّ بْنِ زَيْدٍ، عَنْ أُمِّ مُحَمَّدٍ، عَنْ عَائِشَةَ؛ قَالَتْ: لَمَّا قَدِمَ رَسُولُ اللَّهِ ﷺ الْمَدِينَةَ، وَهُوَ عَرُوسٌ بِصَفِيَّةَ بِنْتِ حُيَيٍّ، جِئْنَ نِسَاءُ الأَنْصَارِ فَأَخْبَرْنَ عَنْهَا. قَالَتْ: فَتَنَكَّرْتُ وَتَنَقَّبْتُ فَذَهَبْتُ. فَنَظَرَ رَسُولُ اللَّهِ ﷺ إِلَى عَيْنِي فَعَرَفَنِي.

got myself veiled, and went (to see her), but the Messenger of Allah "Allah's blessing and peace be upon him" looked at my eyes, and recognized me. When he turned (to me), I walked fast and he caught up with me, and embraced me. Then, he asked me: "How have you seen (her)?" I said: "Let me off! (She is no more than) a Jewess (who embraced Islam) from amongst the Jewish women."

1981- It is narrated on the authority of Urwah that A'ishah said: I had no knowledge (that the wives of the Prophet became angry when the people singled out my day-and-night turn which the Messenger of Allah "Allah's blessing and peace be upon him" fixed to me, to give their gifts to him) before Zainab (daughter of Jahsh) entered into my chamber without asking permission, and then said to the Messenger of Allah "Allah's blessing and peace be upon him": "It is sufficient for you that (A'ishah) daughter of Abu Bakr should (stretch and) turn her arms to you (to divert you from anything by looking at her, because of your excessive love towards her)!" then, she turned towards me (and started quarrelling with me), but I turned away from her (and did not want to reply to her). The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "It is up to you to defend yourself." I turned towards her (and started refuting her claim) until I saw her mouth having dried of saliva, and she could not give any reply. I saw the (signs of) pleasure upon the face of the Messenger of Allah "Allah's blessing and peace be upon him".

1982- It is narrated on the authority of A'ishah that she said: I used to play with the toys while I was in the house of the Messenger of Allah "Allah's blessing and peace be upon him"; and he used to send my companion girls to play with me.

[51] What About Beating Women

1983- It is narrated on the authority of Abdullah Ibn Zam'ah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" addressed (the people) and mentioned women, and advised (men) concerning them, and said: "To what extent of time will anyone of you remain (on the habit of) lashing his wife (in the first portion of the day as violently) as he lashes his slave-girl, and then it may be that he would sleep with her in the last portion of the day?"

1984- It is narrated on the authority of A'ishah that she said: Never did the Messenger of Allah "Allah's blessing and peace be upon him" beat anyone of his servants, nor (did he do with) a woman (from amongst his wives), nor did he beat anyone with his hand (in the house).

قَالَتْ: فَالْتَفَتَ فَأَسْرَعْتُ الْمَشْيَ. فَأَدْرَكَنِي فَاحْتَضَنَنِي. فَقَالَ: «**كَيْفَ رَأَيْتِ؟**» قَالَتْ، قُلْتُ: أَرْسِلْ. يَهُودِيَّةٌ وَسْطَ يَهُودِيَّاتٍ.

1981 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ زَكَرِيَّا، عَنْ خَالِدِ بْنِ سَلَمَةَ، عَنِ الْبَهِي، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ؛ قَالَ: قَالَتْ عَائِشَةُ: مَا عَلِمْتُ حَتَّى دَخَلَتْ عَلَيَّ زَيْنَبُ بِغَيْرِ إِذْنٍ، وَهِيَ غَضْبَى. ثُمَّ قَالَتْ: يَا رَسُولَ اللَّهِ أَحْسَبُكَ إِذَا قَلَبَتْ لَكَ بُنَيَّةُ أَبِي بَكْرٍ ذُرَيْعَتَيْهَا. ثُمَّ أَقْبَلَتْ عَلَيَّ. فَأَعْرَضْتُ عَنْهَا. حَتَّى قَالَ النَّبِيُّ: «**دُونَكِ، فَانْتَصِرِي**» فَأَقْبَلْتُ عَلَيْهَا، حَتَّى رَأَيْتُهَا وَقَدْ يَبِسَ رِيقُهَا فِي فِيهَا، مَا تَرُدُّ عَلَيَّ شَيْئاً. فَرَأَيْتُ النَّبِيَّ ﷺ يَتَهَلَّلُ وَجْهُهُ.

1982 ـ حدّثنا حَفْصُ بْنُ عَمْرٍو. حَدَّثَنَا عُمَرُ بْنُ حَبِيبٍ الْقَاضِي. قَالَ: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: كُنْتُ أَلْعَبُ بِالْبَنَاتِ وَأَنَا عِنْدَ رَسُولِ اللَّهِ ﷺ. فَكَانَ يُسَرِّبُ إِلَيَّ صَوَاحِبَاتِي يُلاَعِبْنَنِي.

51 ـ بَابُ ضَرْبِ النِّسَاءِ

1983 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ زَمْعَةَ؛ قَالَ: خَطَبَ النَّبِيُّ ﷺ. ثُمَّ ذَكَرَ النِّسَاءَ. فَوَعَظَهُمْ فِيهِنَّ. ثُمَّ قَالَ: «**إِلاَمَ يَجْلِدُ أَحَدُكُمُ امْرَأَتَهُ جَلْدَ الأَمَةِ؟ وَلَعَلَّهُ أَنْ يُضَاجِعَهَا مِنْ آخِرِ يَوْمِهِ**».

1984 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: مَا ضَرَبَ رَسُولُ اللَّهِ ﷺ خَادِماً لَهُ، وَلاَ امْرَأَةً، وَلاَ ضَرَبَ بِيَدِهِ شَيْئاً.

1985- It is narrated on the authority of Iyas Ibn Abdullah Ibn Abu Dhubab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not strike the slave-girls of Allah!" Umar came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! The women dared (to speak impolitely) to their husbands: would that you order that they be beaten." They then were beaten (by their husbands). (On that night) many from amongst the women visited the wives of Muhammad (the Messenger of Allah "Allah's blessing and peace be upon him"); and when it was morning, he said: "Seventy women visited tonight the wives of Muhammad, each of whom complained of her husband. Do not think that those (men) are the best among you."

1986- It is narrated on the authority of Al-Ash'ath Ibn Qais that he said: I spent the night as a guest in the house of Umar; and when it was midnight, he stood up and started beating his wife. I stood between them (to withhold him). When he went to bed, he said to me: "O Ash'ath! Retain in memory from me something I heard from Allah's Apostle "Allah's blessing and peace be upon him": a man should not be asked why he beats his wife; and do not sleep until you offer the Witr prayer; and I forgot the third thing."

(...) The same is narrated on the authority of Abu Awanah, through another chain of transmitters.

[52] What About Such As (Artificially) Lengthens The Hair, And Such As Practices Tattooing

1987- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah curses such as (artificially) lengthens the hair and such as gets her hair lengthened (artificially); and such as practices tattooing, and such as gets herself tattooed."

1988- It is narrated on the authority of Asma that she said: A woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "My daughter is a bride, and she has been befallen by measles, which caused her hair to fall down: should I lengthen her hair (artificially)?" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah curses such as lengthens the hair (artificially) and such as gets her hair lengthened (artificially)."

1989- It is narrated on the authority of Alqamah: Abdullah said: "The Messenger of Allah "Allah's blessing and peace be upon him" cursed those ladies who practice tattooing and those who get themselves tattooed, (as well as he cursed) those ladies who remove the hair from their faces and those who make artificial spaces between their teeth in order to be more

1985 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. أَنْبَأَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ إِيَاسِ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي ذُبَابٍ؛ قَالَ: قَالَ النَّبِيُّ ﷺ: **«لاَ تَضْرِبْنَ إِمَاءَ اللَّهِ»** فَجَاءَ عُمَرُ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ قَدْ ذَئِرَ النِّسَاءُ عَلَى أَزْوَاجِهِنَّ. فَأَمَرَ بِضَرْبِهِنَّ. فَضُرِبْنَ. فَطَافَ بِآلِ مُحَمَّدٍ ﷺ طَائِفٌ نِسَاءٍ كَثِيرٌ. فَلَمَّا أَصْبَحَ قَالَ: **«لَقَدْ طَافَ اللَّيْلَةَ بِآلِ مُحَمَّدٍ سَبْعُونَ امْرَأَةً. كُلُّ امْرَأَةٍ تَشْتَكِي زَوْجَهَا. فَلاَ تَجِدُونَ أُولَئِكَ خِيَارَكُمْ»**.

1986 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى، وَالْحَسَنُ بْنُ مُدْرِكٍ الطَّحَّانُ. قَالاَ: حَدَّثَنَا يَحْيَى بْنُ حَمَّادٍ. حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ دَاوُدَ بْنِ عَبْدِ اللَّهِ الأَوْدِيِّ، عَنْ عَبْدِ الرَّحْمٰنِ الْمَسْلَمِيِّ، عَنِ الأَشْعَثِ بْنِ قَيْسٍ؛ قَالَ: ضِفْتُ عُمَرَ لَيْلَةً. فَلَمَّا كَانَ فِي جَوْفِ اللَّيْلِ قَامَ إِلَى امْرَأَتِهِ يَضْرِبُهَا. فَحَجَزْتُ بَيْنَهُمَا. فَلَمَّا أَوَى إِلَى فِرَاشِهِ قَالَ لِي: يَا أَشْعَثُ احْفَظْ عَنِّي شَيْئاً سَمِعْتُهُ عَنْ رَسُولِ اللَّهِ ﷺ: **«لاَ يُسْأَلُ الرَّجُلُ فِيمَ يَضْرِبُ امْرَأَتَهُ. وَلاَ تَنَمْ إِلاَّ عَلَى وِتْرٍ»** وَنَسِيتُ الثَّالِثَةَ.

حدّثنا مُحَمَّدُ بْنُ خَالِدِ بْنِ خِدَاشٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا أَبُو عَوَانَةَ بِإِسْنَادِهِ، نَحْوَهُ.

52 ـ بَابُ الْوَاصِلَةِ وَالْوَاشِمَةِ

1987 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ وَأَبُو أُسَامَةَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ أَنَّهُ لَعَنَ الْوَاصِلَةَ وَالْمُسْتَوْصِلَةَ، وَالْوَاشِمَةَ وَالْمُسْتَوْشِمَةَ.

1988 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ فَاطِمَةَ، عَنْ أَسْمَاءَ؛ قَالَتْ: جَاءَتِ امْرَأَةٌ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: إِنَّ ابْنَتِي عُرَيْسٌ. وَقَدْ أَصَابَتْهَا الْحَصْبَةُ. فَتَمَرَّقَ شَعْرُهَا. فَأَصِلُ لَهَا فِيهِ؟ فَقَالَ رَسُولُ اللَّهِ ﷺ: **«لَعَنَ اللَّهُ الْوَاصِلَةَ وَالْمُسْتَوْصِلَةَ»**.

1989 ـ **حدّثنا** أَبُو عُمَرَ، حَفْصُ بْنُ عُمَرَ، وَعَبْدُ الرَّحْمٰنِ بْنُ عُمَرَ. قَالاَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا سُفْيَانُ عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ الْوَاشِمَاتِ وَالْمُسْتَوْشِمَاتِ وَالْمُتَنَمِّصَاتِ وَالْمُتَفَلِّجَاتِ لِلْحُسْنِ، الْمُغَيِّرَاتِ لِخَلْقِ اللَّهِ. فَبَلَغَ ذٰلِكَ امْرَأَةً مِنْ بَنِي أَسَدٍ، يُقَالُ لَهَا أُمُّ يَعْقُوبَ. فَجَاءَتْ إِلَيْهِ. فَقَالَتْ: بَلَغَنِي عَنْكَ أَنَّكَ قُلْتَ كَيْتَ وَكَيْتَ. قَالَ: وَمَا لِي

beautiful whereby they change Allah's creation." His saying reached a lady from Banu Asad called Umm Ya'qub who came and said (to Abdullah): "I have come to know that you have cursed such-and-such (ladies)." He replied: "Why should I not curse those whom The Messenger of Allah "Allah's blessing and peace be upon him" had cursed and who are cursed in Allah's Book!" She said: "I read the whole Qur'an, but I did find in it nothing of what you say." He said: "No doubt, had you read it (The Holy Qur'an), you would have found it. Didn't you read: "Take what the Messenger assigns to you, and deny yourselves that which he withholds from you. And fear Allah: for Allah is strict in Punishment." She replied: "Yes, I did." He said: "No doubt, The Messenger of Allah "Allah's blessing and peace be upon him" forbade such things." She said: "But I see your wife doing these things." He said: "Go and watch her." She went and watched her but could see nothing to support her statement. She said to him: "I've found nothing." On that he said: "Had my wife been as you thought, I would not have kept her in my company."

[53] When Is It Desirable To Consummate Marriage With Women

1990- It is narrated on the authority of A'ishah that she said: "The Messenger of Allah "Allah's blessing and peace be upon him" contracted the wedlock of me in (the month of) Shawwal, and consummated marriage with me also in (the month of) Shawwal: which then of his women is more admirable in his sight than I?" she liked to have her companion-women consummate their marriage in (the month of) Shawwal.

1991- It is narrated on the authority of Abd Al-Malik Ibn Al-Harith Ibn Hisham from his father that the Messenger of Allah "Allah's blessing and peace be upon him" contracted the wedlock of Umm Salamah in (the month of) Shawwal, and consummated marriage with her also in (the month of) Shawwal.

[54] When A Man Consummates Marriage With His Wife Before Giving Her Anything

1992- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" ordered her to get a wife of a man enter into him to consummate marriage with her before he gave her anything (of the dower).

[55] What About Good And Evil Omen

1993- It is narrated on the authority of Mikhmar Ibn Mu'awiyah that he said: The Messenger of Allah "Allah's blessing and peace be upon him"

لاَ أَلْعَنُ مَنْ لَعَنَ رَسُولُ اللَّهِ ﷺ. وَهُوَ فِي كِتَابِ اللَّهِ؟ قَالَتْ: إِنِّي لأَقْرَأُ مَا بَيْنَ لَوْحَيْهِ فَمَا وَجَدْتُهُ. قَالَ: إِنْ كُنْتِ قَرَأْتِهِ فَقَدْ وَجَدْتِهِ. أَمَا قَرَأْتِ: ﴿وَمَآ ءَاتَىٰكُمُ ٱلرَّسُولُ فَخُذُوهُ وَمَا نَهَىٰكُمْ عَنْهُ فَٱنتَهُوا۟﴾ [الحشر: 7] قَالَتْ: بَلَىٰ. قَالَ: فَإِنَّ رَسُولَ اللَّهِ ﷺ قَدْ نَهَىٰ عَنْهُ. قَالَتْ: فَإِنِّي لأَظُنُّ أَهْلَكَ يَفْعَلُونَ. قَالَ: اذْهَبِي فَانْظُرِي. فَذَهَبَتْ فَنَظَرَتْ فَلَمْ تَرَ مِنْ حَاجَتِهَا شَيْئاً. قَالَتْ: مَا رَأَيْتُ شَيْئاً. قَالَ عَبْدُ اللَّهِ: لَوْ كَانَتْ كَمَا تَقُولِينَ مَا جَامَعَتْنَا.

53 ـ بابٌ مَتَى يُسْتَحَبُّ البِنَاءُ بالنِّسَاءِ

1990 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعُ بْنُ الْجَرَّاحِ. ح وَحَدَّثَنَا أَبُو بِشْرٍ بَكْرُ بْنُ خَلَفٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، جَمِيعاً عَنْ سُفْيَانَ، عَنْ إِسْمَاعِيلَ بْنِ أُمَيَّةَ، عَنْ عَبْدِ اللَّهِ بْنِ عُرْوَةَ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: تَزَوَّجَنِي النَّبِيُّ ﷺ فِي شَوَّالٍ. وَبَنَى بِي فِي شَوَّالٍ. فَأَيُّ نِسَائِهِ كَانَ أَحْظَى عِنْدَهُ مِنِّي؟ وَكَانَتْ عَائِشَةُ تَسْتَحِبُّ أَنْ تُدْخِلَ نِسَاءَهَا فِي شَوَّالٍ.

1991 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَسْوَدُ بْنُ عَامِرٍ. حَدَّثَنَا زُهَيْرٌ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي بَكْرٍ، عَنْ أَبِيهِ، عَنْ عَبْدِ الْمَلِكِ بْنِ الْحَرِثِ بْنِ هِشَامٍ، عَنْ أَبِيهِ؛ أَنَّ النَّبِيَّ ﷺ تَزَوَّجَ أُمَّ سَلَمَةَ فِي شَوَّالٍ. وَجَمَعَهَا إِلَيْهِ فِي شَوَّالٍ.

54 ـ بابُ الرَّجُلِ يَدْخُلُ بأَهْلِهِ قَبْلَ أنْ يُعْطِيَهَا شَيْئاً

1992 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا الْهَيْثَمُ بْنُ جَمِيلٍ. حَدَّثَنَا شَرِيكٌ، عَنْ مَنْصُورٍ (ظَنَّهُ) عَنْ طَلْحَةَ، عَنْ خَيْثَمَةَ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَهَا أَنْ تُدْخِلَ عَلَى رَجُلٍ امْرَأَتَهُ قَبْلَ أَنْ يُعْطِيَهَا شَيْئاً.

55 ـ بابُ ما يَكُونُ فيه اليُمْنُ والشُّؤْمُ

1993 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنِي سُلَيْمَانُ بْنُ سُلَيْمٍ الْكَلْبِيُّ، عَنْ يَحْيَىٰ بْنِ جَابِرٍ، عَنْ حَكِيمِ بْنِ مُعَاوِيَةَ، عَنْ عَمِّهِ مِخْمَرِ بْنِ مُعَاوِيَةَ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لاَ شُؤْمَ. وَقَدْ يَكُونُ الْيُمْنُ فِي ثَلاَثَةٍ: فِي الْمَرْأَةِ وَالْفَرَسِ وَالدَّارِ**».

said: "There is no evil omen (at all), and the good omen might be in three things: the woman (one's wife), the horse, and the house."

1994- It is narrated on the authority of Sahl Ibn Sa'd that Allah's Apostle "Allah's blessing and peace be upon him" said: "Had such a thing been, i.e. the evil omen, it would have been in the horse, the woman, and the residence."

1995- It is narrated on the authority of Salim from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The evil omen might be in three (things): the horse, the woman and the house." Umm Salamah used to add the sword to those three.

[56] What About Jealousy

1996- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Out of (the kinds of) jealousy there is such as Allah likes, and such as Allah dislikes: as to that which He likes, it is the jealousy caused by (portents of) suspicion; and as to that which He dislikes, it is the jealousy caused by no suspicion."

1997- It is narrated on the authority of A'ishah that she said: I've never felt jealous of any woman (from the wives of the Messenger of Allah "Allah's blessing and peace be upon him") as I've felt of Khadijah (even though she died), because the Messenger of Allah "Allah's blessing and peace be upon him" so often made a mention of her (good characteristics and manners), and his Lord commanded him to give her (when she was alive) the glad news of having a house of pipes of precious stones and pearls in the Garden. (Ibn Majah says of gold.)

1998- It is narrated on the authority of Al-Miswar Ibn Makhramah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said while being on the pulpit: "The sons of Hisham Ibn Al-Mughirah asked for my permission to give their daughter to Ali (Ibn Abu Talib) in marriage; and I'm not to give them permission! I'm not to give them permission! I'm not to give them permission, unless Ali Ibn Abu Talib likes to divorce my daughter (Fatimah first) and then marry their daughter: she (Fatimah) is a part of me: that which troubles her troubles me, and that which harms her also harms me."

1999- It is narrated on the authority of Al-Miswar Ibn Makhramah: Ali demanded the hand of the daughter of Abu Jahl, and he had Fatimah (the daughter of the Prophet) with him (as his wife). Fatimah heard of this and went to Allah's Apostle "Allah's blessing and peace be upon him" saying: "Your people think that you do not become angry for the sake of your daughters; and this is Ali: he is now going to marry the daughter of Abu

1994 ـ **حدّثنا** عَبْدُ السَّلَامِ بْنُ عَاصِمٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نَافِعٍ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنْ أَبِي حَازِمٍ، عَنْ سَهْلِ بْنِ سَعْدٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«إِنْ كَانَ، فَفِي الْفَرَسِ وَالْمَرْأَةِ وَالْمَسْكَنِ»**. يَعْنِي الشُّؤْمَ.

1995 ـ **حدّثنا** يَحْيَىٰ بْنُ خَلَفٍ، أَبُو سَلَمَةَ. حَدَّثَنَا بِشْرُ بْنُ الْمُفَضَّلِ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ إِسْحَاقَ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«الشُّؤْمُ فِي ثَلَاثٍ: فِي الْفَرَسِ وَالْمَرْأَةِ وَالدَّارِ»**.

قَالَ الزُّهْرِيُّ: فَحَدَّثَنِي أَبُو عُبَيْدَةَ بْنُ عَبْدِ اللَّهِ بْنِ زَمْعَةَ أَنَّ جَدَّتَهُ، زَيْنَبَ حَدَّثَتْهُ عَنْ أُمِّ سَلَمَةَ أَنَّهَا كَانَتْ تَعُدُّ هٰؤُلَاءِ الثَّلَاثَةَ، وَتَزِيدُ مَعَهُنَّ: السَّيْفَ.

56 ـ بَابُ الْغَيْرَةِ

1996 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ. حَدَّثَنَا وَكِيعٌ عَنْ شَيْبَانَ أَبِي مُعَاوِيَةَ، عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ أَبِي سَهْمٍ (أَبِي شَهْمٍ)، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مِنَ الْغَيْرَةِ مَا يُحِبُّ اللَّهُ. وَمِنْهَا مَا يَكْرَهُ اللَّهُ. فَأَمَّا مَا يُحِبُّ اللَّهُ فَالْغَيْرَةُ فِي الرِّيبَةِ. وَأَمَّا مَا يَكْرَهُ، فَالْغَيْرَةُ فِي غَيْرِ رِيبَةٍ»**.

1997 ـ **حدّثنا** هَارُونُ بْنُ إِسْحَاقَ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: مَا غِرْتُ عَلَى امْرَأَةٍ قَطُّ، مَا غِرْتُ عَلَى خَدِيجَةَ. مِمَّا رَأَيْتُ مِنْ ذِكْرِ رَسُولِ اللَّهِ ﷺ لَهَا. وَلَقَدْ أَمَرَهُ رَبُّهُ أَنْ يُبَشِّرَهَا بِبَيْتٍ فِي الْجَنَّةِ مِنْ قَصَبٍ.

يَعْنِي مِنْ ذَهَبٍ. قَالَهُ ابْنُ مَاجَةَ.

1998 ـ **حدّثنا** عِيسَى بْنُ حَمَّادٍ الْمِصْرِيُّ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي مُلَيْكَةَ، عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ، وَهُوَ عَلَى الْمِنْبَرِ، يَقُولُ: **«إِنَّ بَنِي هِشَامِ بْنِ الْمُغِيرَةِ اسْتَأْذَنُونِي أَنْ يُنْكِحُوا ابْنَتَهُمْ عَلِيَّ بْنَ أَبِي طَالِبٍ. فَلَا آذَنُ لَهُمْ، ثُمَّ لَا آذَنُ لَهُمْ، ثُمَّ لَا آذَنُ لَهُمْ. إِلَّا أَنْ يُرِيدَ عَلِيُّ بْنُ أَبِي طَالِبٍ أَنْ يُطَلِّقَ ابْنَتِي وَيَنْكِحَ ابْنَتَهُمْ. فَإِنَّمَا هِيَ بَضْعَةٌ مِنِّي. يَرِيبُنِي مَا رَابَهَا، وَيُؤْذِينِي مَا آذَاهَا»**.

1999 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا أَبُو الْيَمَانِ. أَنْبَأَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ. أَخْبَرَنِي عَلِيُّ بْنُ الْحُسَيْنِ أَنَّ الْمِسْوَرَ بْنَ مَخْرَمَةَ أَخْبَرَهُ أَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ خَطَبَ بِنْتَ أَبِي جَهْلٍ وَعِنْدَهُ فَاطِمَةُ بِنْتُ النَّبِيِّ ﷺ. فَلَمَّا سَمِعَتْ بِذٰلِكَ فَاطِمَةُ أَتَتِ النَّبِيَّ ﷺ فَقَالَتْ: إِنَّ قَوْمَكَ يَتَحَدَّثُونَ أَنَّكَ لَا تَغْضَبُ لِبَنَاتِكَ. وَهٰذَا عَلِيٌّ نَاكِحاً ابْنَةَ أَبِي جَهْلٍ.

Jahl. "On that Allah's Apostle "Allah's blessing and peace be upon him" got up and after reciting: "There is no God but Allah, and that Mohammad is his messenger", I heard him saying: "To go further! I married one of my daughters to Abu Al-As Ibn Ar-Rabie (the husband of Zainab, the daughter of The Prophet before Islam) and he proved truthful in whatever he said to me. No doubt, Fatimah is a part of me; I hate to see her being put to trial. By Allah, the daughter of Allah's Apostle and the daughter of Allah's Enemy cannot be wives of one man." So Ali gave up that engagement.

[57] What About Such As Granted Herself To The Messenger Of Allah

2000- It is narrated on the authority of A'ishah that she used to say: "Should a woman not feel shy of giving herself to Allah's Apostle "Allah's blessing and peace be upon him"?" But when Allah revealed: "You may defer (the turn of) any of them that you pleasest, and you may receive any you please" (Al-Ahzab 51) I said (to The Prophet): "Your lord seems to hasten to fulfill your desires."

2001- It is narrated on the authority of Thabit that he said: We were sitting in the house of Anas and he had a daughter of him (near the gathering). Anas said: "A lady came to the Messenger of Allah "Allah's blessing and peace be upon him" and presented herself to him (to take her in marriage) saying: "O Messenger of Allah! Do you have a desire for me?"" his (Anas's) daughter said: "How far she is from shyness!" on that Anas said: "No doubt, she is much better than you: she had a desire for (the nearness of) the Messenger of Allah "Allah's blessing and peace be upon him", and thus presented herself to him."

[58] When A Man Has Doubt About His Son

2002- It is narrated on the authority of Abu Hurairah: Once, a man from (the tribe of) Banu Fazarah came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "My wife has delivered a black child." The Prophet "Allah's blessing and peace be upon him" said: "Do you have (a herd of) camels?" he said: "Yes." He (The Prophet) asked: "What is their colour?" he said: "They are red." He said: "Is there any dusky one among them?" He said: "Yes, there are many dusky ones among them." He said: "How has that come?" He said: "Perhaps, it is due to a certain (characteristics of) heredity to which it was attracted." He (The Prophet) said: "Perhaps, this (black complexion of your child) is due to a certain (characteristics of) heredity to which he was attracted."

2003- It is narrated on the authority of Ibn Umar that he said: Once, a desert dweller came to The Messenger of Allah "Allah's blessing and peace

قَالَ الْمِسْوَرُ: فَقَامَ النَّبِيُّ ﷺ. فَسَمِعْتُهُ حِينَ تَشَهَّدَ، ثُمَّ قَالَ: «**أَمَّا بَعْدُ. فَإِنِّي قَدْ أَنْكَحْتُ أَبَا الْعَاصِ بْنَ الرَّبِيعِ فَحَدَّثَنِي فَصَدَقَنِي. وَإِنَّ فَاطِمَةَ بِنْتَ مُحَمَّدٍ بَضْعَةٌ مِنِّي. وَأَنَا أَكْرَهُ أَنْ تَفْتِنُوهَا. وَإِنَّهَا، وَاللَّهِ لاَ تَجْتَمِعُ بِنْتُ رَسُولِ اللَّهِ وَبِنْتُ عَدُوِّ اللَّهِ، عِنْدَ رَجُلٍ وَاحِدٍ أَبَداً**».

قَالَ: فَنَزَلَ عَلِيٌّ عَنِ الْخِطْبَةِ.

57 ـ بابُ الَّتِي وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ ﷺ

2000 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ أَنَّهَا كَانَتْ تَقُولُ: أَمَا تَسْتَحِي الْمَرْأَةُ أَنْ تَهَبَ نَفْسَهَا لِلنَّبِيِّ ﷺ؟ حَتَّى أَنْزَلَ اللَّهُ: ﴿تُرْجِي مَن تَشَآءُ مِنْهُنَّ وَتُـْٔوِيٓ إِلَيْكَ مَن تَشَآءُ﴾ [الأحزاب: 51] قَالَتْ، فَقُلْتُ: إِنَّ رَبَّكَ لَيُسَارِعُ فِي هَوَاكَ.

2001 ـ حدثنا أَبُو بِشْرٍ، بَكْرُ بْنُ خَلَفٍ وَمُحَمَّدُ بْنُ بَشَّارٍ. قَالاَ: ثنا مَرْحُومُ ابْنُ عَبْدِ الْعَزِيزِ. ثنا ثَابِتٌ؛ قَالَ: كُنَّا جُلُوساً مَعَ أَنَسِ بْنِ مَالِكٍ، وَعِنْدَهُ ابْنَةٌ لَهُ. فَقَالَ أَنَسٌ: جَاءَتِ امْرَأَةٌ إِلَى النَّبِيِّ ﷺ. فَعَرَضَتْ نَفْسَهَا عَلَيْهِ. فَقَالَتْ: يَا رَسُولَ اللهِ! هَلْ لَكَ فِيَّ حَاجَةٌ؟ فَقَالَتِ ابْنَتُهُ: مَا أَقَلَّ حَيَاءَهَا. فَقَالَ: «**هِيَ خَيْرٌ مِنْكِ. رَغِبَتْ فِي رَسُولِ اللهِ ﷺ، فَعَرَضَتْ نَفْسَهَا عَلَيْهِ**».

58 ـ بابُ الرَّجُلِ يَشُكُّ فِي وَلَدِهِ

2002 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: جَاءَ رَجُلٌ مِنْ بَنِي فَزَارَةَ إِلَى رَسُولِ اللَّهِ ﷺ. فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّ امْرَأَتِي وَلَدَتْ غُلاَماً أَسْوَدَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**هَلْ لَكَ مِنْ إِبِلٍ؟**» قَالَ: نَعَمْ. قَالَ: «**فَمَا أَلْوَانُهَا؟**» قَالَ: حُمْرٌ. قَالَ: «**هَلْ فِيهَا مِنْ أَوْرَقَ؟**» قَالَ: إِنَّ فِيهَا لَوُرْقاً. قَالَ: «**فَأَنَّى أَتَاهَا ذٰلِكَ؟**» قَالَ: عَسَى عِرْقٌ نَزَعَهَا. قَالَ: «**وَهٰذَا، لَعَلَّ عِرْقاً نَزَعَهُ**».

(وَاللَّفْظ لابْنِ الصَّبَّاحِ).

2003 ـ حدّثنا أَبُو كُرَيْبٍ. حَدَّثَنَا عَبَّادُ بْنُ كُلَيْبٍ اللَّيْثِيُّ، أَبُو غَسَّانَ، عَنْ جُوَيْرِيَةَ بْنِ أَسْمَاءَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَجُلاً مِنْ أَهْلِ الْبَادِيَةِ أَتَى النَّبِيَّ ﷺ.

be upon him" and said: "My wife has delivered a black child on my bed, and we belong to a house, that never has a black one." The Prophet "Allah's blessing and peace be upon him" said: "Do you have (a herd of) camels?" he said: "Yes." He (The Prophet) asked: "What is their colour?" he said: "They are red." He asked: "Is there any black one among them?" he answered in the negative. He said: "Is there any dusky one among them?" He said: "Yes." He said: "How has that come?" He said: "Perhaps, it is due to a certain (characteristics of) heredity to which it was attracted." He (The Prophet) said: "Perhaps, (the black complexion of) your child is due to a certain (characteristics of) heredity to which he was attracted."

[59] The Child Goes To The (Owner Of The) Bed (On Which He Is Born), And The Stones (Depravation And Disappointment) Are The Portion Of The Adulteress (Who Gives Birth To Him From Adultery)

2004- It is narrated on the authority of A'ishah that Abd Ibn Zam'ah and Sa'd Ibn Abu Waqqas carried before The Prophet "Allah's blessing and peace be upon him" the case of their claim for the (ownership of) the son of a slave-girl of Zam'ah. Sa'd said: "O Allah's Apostle! My brother (before his death) told me that on my return to Mecca, I should search for the son of the slave-girl of Zam'ah and take him into my custody as he was his son." Abd Ibn Zam'ah said: "He is my brother and the son of the slave-girl of my father, and was born or my father's bed." The Prophet "Allah's blessing and peace be upon him" noticed a resemblance between Utbah and the boy. But he said: "O Abd Ibn Zam'ah! Take this boy, as the son goes to the (owner of the) bed (on which he is born). O Sawdah! Screen yourself from the boy."

2005- It is narrated on the authority of Umar that the Messenger of Allah "Allah's blessing and peace be upon him" passed his judgement that the boy (born from adultery) should go to the (owner of the) bed (on which he is born).

2006- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The child goes to the (owner of the) bed (on which he is born), and the stones (depravation and disappointment) are the portion of the adulteress (who gives birth to him from adultery)."

2007- It is narrated on the authority of Abu Umamah Al-Bahili that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The child goes to the (owner of the) bed (on which he is born), and the stones (depravation and disappointment) are the portion of the adulteress (who gives birth to him from adultery)."

فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّ امْرَأَتِي وَلَدَتْ عَلَى فِرَاشِي غُلاَماً أَسْوَدَ. وَإِنَّا، أَهْلُ بَيْتٍ، لَمْ يَكُنْ فِينَا أَسْوَدُ قَطُّ. قَالَ: «**هَلْ لَكَ مِنْ إِبِلٍ؟**» قَالَ: نَعَمْ. قَالَ: «**فَمَا أَلْوَانُهَا؟**» قَالَ: حُمْرٌ. قَالَ: «**هَلْ فِيهَا أَسْوَدُ؟**» قَالَ: لاَ. قَالَ: «**فِيهَا أَوْرَقُ؟**» قَالَ: نَعَمْ. قَالَ: «**فَأَنَّى كَانَ ذٰلِكَ؟**» قَالَ: عَسَىٰ أَنْ يَكُونَ نَزَعَهُ عِرْقٌ. قَالَ: «**فَلَعَلَّ ابْنَكَ هٰذَا نَزَعَهُ عِرْقٌ**».

59 ـ بابٌ «الوَلَدُ للفِرَاشِ وللعَاهِرِ الحَجَرُ»

2004 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: إِنَّ ابْنَ زَمْعَةَ وَسَعْداً اخْتَصَمَا إِلَى النَّبِيِّ ﷺ فِي ابْنِ أَمَةِ زَمْعَةَ. فَقَالَ سَعْدٌ: يَا رَسُولَ اللَّهِ أَوْصَانِي أَخِي، إِذَا قَدِمْتُ مَكَّةَ، أَنْ أَنْظُرَ إِلَى ابْنِ أَمَةِ زَمْعَةَ فَأَقْبِضَهُ. وَقَالَ عَبْدُ بْنُ زَمْعَةَ: أَخِي وَابْنُ أَمَةِ أَبِي. وُلِدَ عَلَى فِرَاشِ أَبِي. فَرَأَى النَّبِيُّ ﷺ شَبَهَهُ بِعُتْبَةَ. فَقَالَ: «**هُوَ لَكَ يَا عَبْدُ بْنَ زَمْعَةَ. الْوَلَدُ لِلْفِرَاشِ. وَاحْتَجِبِي عَنْهُ يَا سَوْدَةُ**».

2005 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي يَزِيدَ، عَنْ أَبِيهِ، عَنْ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَضَىٰ بِالْوَلَدِ لِلْفِرَاشِ.

2006 ـ حدّثنا هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**الْوَلَدُ لِلْفِرَاشِ. وَلِلْعَاهِرِ الْحَجَرُ**».

2007 ـ حدّثنا هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنَا شُرَحْبِيلُ بْنُ مُسْلِمٍ قَالَ: سَمِعْتُ أَبَا أُمَامَةَ الْبَاهِلِيَّ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الْوَلَدُ لِلْفِرَاشِ، وَلِلْعَاهِرِ الْحَجَرُ**».

[60] When One Of The Couple Embraces Islam Before The Other

2008- It is narrated on the authority of Ibn Abbas that a woman (whose husband was a pagan) came to the Messenger of Allah "Allah's blessing and peace be upon him" and embraced Islam, and she got married to a man (from amongst the Muslims). Then, her former husband came and said: "O Messenger of Allah! I embraced Islam with her, and she knew of my conversion into Islam." On that the Messenger of Allah "Allah's blessing and peace be upon him" took her from her latter husband, and brought her back to her former husband.

2009- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" restored his daughter (Zainab) to Abu Al-As Ibn Ar-Rabie because of her former marriage (to him with a new wedlock when he embraced Islam) two years after (dissolving the former wedlock).

2010- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" restored his daughter Zainab to Abu Al-As Ibn Ar-Rabie (her previous husband) with a new wedlock.

[61] What About Having Sexual Relation With The Woman While Suckling

2011- It is narrated on the authority of Judhamah Bint Wahb Al-Asadiyyah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "I intended to forbid having sexual relation with the woman while suckling (for fear it might harm the infant), but I found out that both the Persians and the Romans do it, and this does not kill their children." He further was asked about coitus interruptus, thereupon he said: "It is a hidden (kind of) burial of living children."

2012- It is narrated on the authority of Asma' Bint Yazid Ibn As-Sakan that she heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Do not kill your children in secrecy (by having sexual relation with your wives while suckling): by Him in Whose Hand is my soul! Having sexual relation with one's wife while she is suckling keeps in pursuit of the (child even when he becomes a) horseman while being on the back of his horse until it causes him to fall down (and die)."

[62] When A Woman Harms Her Husband

2013- It is narrated on the authority of Abu Umamah that he said: A woman, having two boys, and she was carrying one and leading the other, came to the Messenger of Allah "Allah's blessing and peace be upon him",

60 ـ بابُ الزَّوْجَيْنِ يُسْلِمُ أَحَدُهُما قَبْلَ الآخَرِ

2008 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. حَدَّثَنَا حَفْصُ بْنُ جُمَيْعٍ. حَدَّثَنَا سِمَاكٌ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ امْرَأَةً جَاءَتْ إِلَى النَّبِيِّ ﷺ فَأَسْلَمَتْ. فَتَزَوَّجَهَا رَجُلٌ. قَالَ، فَجَاءَ زَوْجُهَا الأَوَّلُ فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي قَدْ كُنْتُ أَسْلَمْتُ مَعَهَا، وَعَلِمَتْ بِإِسْلاَمِي. قَالَ، فَانْتَزَعَهَا رَسُولُ اللَّهِ ﷺ مِنْ زَوْجِهَا الآخَرِ، وَرَدَّهَا إِلَى زَوْجِهَا الأَوَّلِ.

2009 ـ **حدّثنا** أَبُو بَكْرِ بْنُ خَلاَّدٍ وَيَحْيَىٰ بْنُ حَكِيمٍ. قَالاَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ دَاوُدَ بْنِ الْحُصَيْنِ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ رَدَّ ابْنَتَهُ عَلَى أَبِي الْعَاصِ بْنِ الرَّبِيعِ، بَعْدَ سَنَتَيْنِ، بِنِكَاحِهَا الأَوَّلِ.

2010 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ حَجَّاجٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ رَدَّ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي الْعَاصِ بْنِ الرَّبِيعِ، بِنِكَاحٍ جَدِيدٍ.

61 ـ بابُ الغَيْلِ

2011 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَىٰ بْنُ إِسْحَاقَ. حَدَّثَنَا يَحْيَىٰ بْنُ أَيُّوبَ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ نَوْفَلٍ الْقُرَشِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، عَنْ جُدَامَةَ بِنْتِ وَهْبٍ الأَسَدِيَّةِ؛ أَنَّهَا قَالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«قَدْ أَرَدْتُ أَنْ أَنْهَىٰ عَنِ الْغِيَالِ. فَإِذَا فَارِسُ وَالرُّومُ يُغِيلُونَ فَلاَ يَقْتُلُونَ أَوْلاَدَهُمْ»** وَسَمِعْتُهُ يَقُولُ، وَسُئِلَ عَنِ الْعَزْلِ، فَقَالَ: **«هُوَ الْوَأْدُ الْخَفِيُّ»**.

2012 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا يَحْيَىٰ بْنُ حَمْزَةَ، عَنْ عَمْرِو بْنِ مُهَاجِرٍ؛ أَنَّهُ سَمِعَ أَبَاهُ الْمُهَاجِرَ بْنَ أَبِي مُسْلِمٍ يُحَدِّثُ عَنْ أَسْمَاءَ بِنْتِ يَزِيدَ بْنِ السَّكَنِ. وَكَانَتْ مَوْلاَتَهُ؛ أَنَّهَا سَمِعَتْ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«لاَ تَقْتُلُوا أَوْلاَدَكُمْ سِرًّا. فَوَالَّذِي نَفْسِي بِيَدِهِ إِنَّ الْغَيْلَ لَيُدْرِكُ الْفَارِسَ عَلَى ظَهْرِ فَرَسِهِ حَتَّى يَصْرَعَهُ»**.

62 ـ بابٌ في المَرْأَةِ تُؤْذِي زَوْجَها

2013 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُؤَمَّلٌ. حَدَّثَنَا سُفْيَانُ عَنِ الأَعْمَشِ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ، عَنْ أَبِي أُمَامَةَ؛ قَالَ: أَتَتِ النَّبِيَّ ﷺ امْرَأَةٌ مَعَهَا صَبِيَّانِ لَهَا.

thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Those pregnant women, who give birth (to children), and have mercy (towards them are good); and but for whatever harm they cause to their husbands, the praying ones among them (who leave this habit) would be admitted to the Garden."

2014- It is narrated on the authority of Mu'adh Ibn Jabal that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Never does a woman do harm to her husband but that his wife from among the beautiful women of big lustrous eyes (in the Garden) says: "Do not do harm to him: might Allah kill you! He is but a guest on you (in this world); and he is about to leave you for us (in the hereafter).""

[63] What Is Forbidden Should Not Prohibit What Is Lawful

2015- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "What is forbidden should not prohibit what is lawful."

Comment: (The woman with whom one commits adultery, and this is forbidden, becomes lawful for him to have sexual relation with her by marriage, and this is lawful. Thus, what was forbidden before marriage should not prohibit what has been made lawful by marriage)

قَدْ حَمَلَتْ أَحَدَهُمَا وَهِيَ تَقُودُ الآخَرَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**حَامِلاَتٌ، وَالِدَاتٌ، رَحِيمَاتٌ. لَوْلاَ مَا يَأْتِينَ إِلَى أَزْوَاجِهِنَّ، دَخَلَ مُصَلِّيَاتُهُنَّ الْجَنَّةَ**».

2014 ـ حدّثنا عَبْدُ الْوَهَّابِ بْنُ الضَّحَّاكِ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ بَحِيرِ بْنِ سَعْدٍ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنْ كَثِيرِ بْنِ مُرَّةَ، عَنْ مُعَاذِ بْنِ جَبَلٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تُؤْذِي امْرَأَةٌ زَوْجَهَا إِلاَّ قَالَتْ زَوْجَتُهُ مِنَ الْحُورِ الْعِينِ: لاَ تُؤْذِيهِ. قَاتَلَكِ اللَّهُ فَإِنَّمَا هُوَ عِنْدَكِ دَخِيلٌ أَوْشَكَ أَنْ يُفَارِقَكِ إِلَيْنَا**».

63 ـ بابٌ «لا يُحَرِّمُ الحَرَامُ الحَلالَ»

2015 ـ حدّثنا يَحْيَى بْنُ مُعَلَّى بْنِ مَنْصُورٍ. حَدَّثَنَا إِسْحَاقُ بْنُ مُحَمَّدٍ الْفَرْوِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ يُحَرِّمُ الْحَرَامُ الْحَلاَلَ**».

(10) THE BOOK OF DIVORCE

[1]

2016- It is narrated on the authority of Umar that the Messenger of Allah "Allah's blessing and peace be upon him" divorced Hafsah once, and then he brought her back (to his guardianship).

2017- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "What is wrong with some people who play with Allah's Limits (i.e. deal with them slightly)? One of them would say (to his wife): I've divorced you; I've brought you back; I've divorced you..." (with no necessity to cause him to do so).

2018- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The most hateful (thing that is) lawful in the Sight of Allah is the divorce."

[2] The (Way Of) Divorce In Accordance With The Sunnah

2019- It is narrated on the authority of Ibn Umar that he said: I divorced my wife while she was menstruating. Umar Ibn Al-Khattab asked Allah's Apostle "Allah's blessing and peace be upon him" about that. Allah's Apostle "Allah's blessing and peace be upon him" said: "Order him (your son) to take her back and keep her till she is clean and then to wait till she gets her next period and becomes clean again. If he wishes to divorce her he can divorce her before approaching her; and if he wishes to keep her, he can do so: that is the prescribed period fixed by Allah for the women meant to be divorced."

2020- It is narrated on the authority of Abdullah that he said: "The (way of) divorce according to the sunnah is that one divorces her (his wife) when she becomes clean (from menses) before having sexual relation with her.

2021- It is narrated on the authority of Abdullah that he said concerning the (way of) divorce in accordance with the sunnah: "It is that he divorces her once on every cleanness (from menses) and when she becomes clean (from menses) for the third time, he divorces her and there remains a single menses due upon her (before finishing from her Iddat)."

2022- it is narrated on the authority of Yunus Ibn Jubair: Abu Ghallab, that he said: I asked Ibn Umar about a man who divorced his wife while she was menstruating, and he said: Do you know Abdullah Ibn Umar? He

10 ـ كِتَابُ الطَّلاقِ

1 ـ بابٌ

2016 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ، وَعَبْدُ اللَّهِ بْنُ عَامِرِ بْنِ زُرَارَةَ، وَمَسْرُوقُ بْنُ الْمَرْزُبَانِ. قَالُوا: حَدَّثَنَا يَحْيَىٰ بْنُ زَكَرِيَّا بْنِ أَبِي زَائِدَةَ، عَنْ صَالِحِ بْنِ صَالِحِ بْنِ حَيٍّ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، عَنْ عُمَرَ بْنِ الْخَطَّابِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ طَلَّقَ حَفْصَةَ ثُمَّ رَاجَعَهَا.

2017 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُؤَمَّلٌ. حَدَّثَنَا سُفْيَانُ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَىٰ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا بَالُ أَقْوَامٍ يَلْعَبُونَ بِحُدُودِ اللَّهِ. يَقُولُ أَحَدُهُمْ: قَدْ طَلَّقْتُكِ. قَدْ رَاجَعْتُكِ. قَدْ طَلَّقْتُكِ»**.

2018 ـ **حدّثنا** كَثِيرُ بْنُ عُبَيْدٍ الْحِمْصِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ خَالِدٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ الْوَلِيدِ الْوَصَّافِيِّ، عَنْ مُحَارِبِ بْنِ دِثَارٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَبْغَضُ الْحَلَالِ إِلَى اللَّهِ الطَّلَاقُ»**.

2 ـ بابُ طَلاقِ السُّنَّةِ

2019 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ عُبَيْدِ اللَّهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: طَلَّقْتُ امْرَأَتِي وَهِيَ حَائِضٌ. فَذَكَرَ ذٰلِكَ عُمَرُ لِرَسُولِ اللَّهِ ﷺ. فَقَالَ: **«مُرْهُ فَلْيُرَاجِعْهَا حَتَّى تَطْهُرَ، ثُمَّ تَحِيضَ، ثُمَّ تَطْهُرَ. ثُمَّ إِنْ شَاءَ طَلَّقَهَا قَبْلَ أَنْ يُجَامِعَهَا. وَإِنْ شَاءَ أَمْسَكَهَا. فَإِنَّهَا الْعِدَّةُ الَّتِي أَمَرَ اللَّهُ»**.

2020 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: طَلَاقُ السُّنَّةِ أَنْ يُطَلِّقَهَا طَاهِراً مِنْ غَيْرِ جِمَاعٍ.

2021 ـ **حدّثنا** عَلِيُّ بْنُ مَيْمُونٍ الرَّقِّيُّ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنِ الأَعْمَشِ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ، قَالَ، فِي طَلَاقِ السُّنَّةِ: يُطَلِّقُهَا عِنْدَ كُلِّ طُهْرٍ تَطْلِيقَةً. فَإِذَا طَهُرَتِ الثَّالِثَةَ طَلَّقَهَا. وَعَلَيْهَا بَعْدَ ذٰلِكَ حَيْضَةٌ.

2022 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا عَبْدُ الأَعْلَىٰ. حَدَّثَنَا هِشَامٌ عَنْ مُحَمَّدٍ، عَنْ يُونُسَ بْنِ جُبَيْرٍ، أَبِي غَلَّابٍ؛ قَالَ: سَأَلْتُ ابْنَ عُمَرَ عَنْ رَجُلٍ طَلَّقَ

divorced his wife once, while she was menstruating. Then, Umar went to the Messenger of Allah "Allah's blessing and peace be upon him" (and asked for his verdict, thereupon) he ordered him to take her back. I (Abu Ghallab) asked: "Was it counted (as valid one divorce)?" he (Ibn Umar) said: "(Would it not be counted) if someone became helpless (to take her back) and foolish?"

[3] How Should A Pregnant Be Divorced

2023- It is narrated on the authority of Salim from Ibn Umar that he divorced his wife while she was menstruating; and when Umar made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", he said to him: "Order him to take her back (until she becomes clean) and then let him divorce her (if he so likes) when she is either clean (before approaching her) or pregnant."

[4] When One Utters Three Pronouncements Of Divorce In A Session

2024- It is narrated on the authority of Amir Ash-Sha'bi that he said: I said to Fatimah Bint Qais: "Tell me about (the way of) your divorce." She said: "My husband divorced me thrice while he (was getting ready to) set out to Yemen; and the Messenger of Allah "Allah's blessing and peace be upon him" approved of that."

[5] Taking (One's Divorced Wife) Back

2025- It is narrated on the authority of Mutarrif Ibn Abdullah Ibn Ash-Shakhir that Imran Ibn Al-Husain was asked about a man who divorced his wife, and then had sexual relation with her, and he took no witnesses to divorcing her nor did he do to bringing her back, thereupon Imran said: "You've divorced (your wife) without following the sunnah, and brought her back also without following the sunnah: take witnesses to your divorcing her, as well as to your bringing her back."

[6] When A Divorced Pregnant Delivers What Is In Her Womb, Her Divorce Becomes Final

2026- It is narrated on the authority of Az-Zubair Ibn Al-Awwam that he had Umm Kulthum Bint Uqbah (as his wife), and she was pregnant when she said to him: "Cheer up me with a divorce pronouncement." He then divorced her once, and set out to (attend the congregational) prayer; and when he returned home, she had delivered (her child), thereupon he said: "She has deceived me: might Allah not guide her (to the truth)!" he went to the Messenger of Allah "Allah's blessing and peace be upon him" and (made a mention of that to him, and) he said: "The written (Iddat) passed

امْرَأَتَهُ وَهِيَ حَائِضٌ. فَقَالَ: تَعْرِفُ عَبْدَ اللَّهِ بْنَ عُمَرَ؟ طَلَّقَ امْرَأَتَهُ وَهِيَ حَائِضٌ. فَأَتَى عُمَرُ النَّبِيَّ ﷺ. فَأَمَرَهُ أَنْ يُرَاجِعَهَا. قُلْتُ: أَيُعْتَدُّ بِتِلْكَ؟ قَالَ: أَرَأَيْتَ إِنْ عَجَزَ وَاسْتَحْمَقَ؟

3 ـ بابُ الحَامِلِ كَيْفَ تُطَلَّقُ

2023 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمٰنِ، مَوْلَى آلِ طَلْحَةَ، عَنْ سَالِمٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّهُ طَلَّقَ امْرَأَتَهُ وَهِيَ حَائِضٌ. فَذَكَرَ ذٰلِكَ عُمَرُ لِلنَّبِيِّ ﷺ فَقَالَ: **«مُرْهُ فَلْيُرَاجِعْهَا ثُمَّ يُطَلِّقْهَا وَهِيَ طَاهِرٌ أَوْ حَامِلٌ»**.

4 ـ بابُ مَنْ طَلَّقَ ثَلاثاً في مَجْلِسٍ وَاحِدٍ

2024 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ إِسْحَاقَ بْنِ أَبِي فَرْوَةَ، عَنْ أَبِي الزِّنَادِ، عَنْ عَامِرٍ الشَّعْبِيِّ؛ قَالَ: قُلْتُ لِفَاطِمَةَ بِنْتِ قَيْسٍ: حَدِّثِينِي عَنْ طَلاَقِكِ. قَالَتْ: طَلَّقَنِي زَوْجِي ثَلاَثاً، وَهُوَ خَارِجٌ إِلَى الْيَمَنِ. فَأَجَازَ ذٰلِكَ رَسُولُ اللَّهِ ﷺ.

5 ـ بابُ الرَّجْعَةِ

2025 ـ **حدّثنا** بِشْرُ بْنُ هِلاَلٍ الصَّوَّافُ. حَدَّثَنَا جَعْفَرُ بْنُ سُلَيْمَانَ الضُّبَعِيُّ، عَنْ يَزِيدَ الرِّشْكِ، عَنْ مُطَرِّفِ بْنِ عَبْدِ اللَّهِ بْنِ الشِّخِّيرِ؛ أَنَّ عِمْرَانَ بْنَ الْحُصَيْنِ سُئِلَ عَنْ رَجُلٍ يُطَلِّقُ امْرَأَتَهُ ثُمَّ يَقَعُ بِهَا وَلَمْ يُشْهِدْ عَلَى طَلاَقِهَا وَلاَ عَلَى رَجْعَتِهَا. فَقَالَ عِمْرَانُ: طَلَّقْتَ بِغَيْرِ سُنَّةٍ، وَرَاجَعْتَ بِغَيْرِ سُنَّةٍ، أَشْهِدْ عَلَى طَلاَقِهَا وَعَلَى رَجْعَتِهَا.

6 ـ بابُ المُطَلَّقَةِ الحَامِلِ إذا وَضَعَتْ ذا بَطْنِهَا بَانَتْ

2026 ـ **حدّثنا** مُحَمَّدُ بْنُ عُمَرَ بْنِ هَيَّاجٍ. حَدَّثَنَا قَبِيصَةُ بْنُ عُقْبَةَ. حَدَّثَنَا سُفْيَانُ عَنْ عَمْرِو بْنِ مَيْمُونٍ، عَنْ أَبِيهِ، عَنِ الزُّبَيْرِ بْنِ الْعَوَّامِ؛ أَنَّهُ كَانَتْ عِنْدَهُ أُمُّ كُلْثُومٍ بِنْتُ عُقْبَةَ. فَقَالَتْ لَهُ، وَهِيَ حَامِلٌ: طَيِّبْ نَفْسِي بِتَطْلِيقَةٍ. فَطَلَّقَهَا تَطْلِيقَةً. ثُمَّ خَرَجَ إِلَى الصَّلاَةِ فَرَجَعَ وَقَدْ وَضَعَتْ. فَقَالَ: مَا لَهَا؟ خَدَعَتْنِي، خَدَعَهَا اللَّهُ. ثُمَّ أَتَى النَّبِيَّ ﷺ فَقَالَ: **«سَبَقَ الْكِتَابُ أَجَلَهُ. اخْطُبْهَا إِلَى نَفْسِهَا»**.

before the term (that is expected). Seek marriage from her once again (for her divorce has become final)."

[7] When A Pregnant Whose Husband Died Delivers Her Child, She Becomes Lawful For Men To Marry

2027- It is narrated on the authority of Abu As-Sanabil that he said: Subai'ah Al-Aslamiyyah Bint Al-Harith delivered her burden over twenty nights after the death of her husband. When she finished from her postpartum period of confinement, she (made up herself and) looked forward (to men to demand her hand). She was blamed for that, and when a mention of her matter was made to the Messenger of Allah "Allah's blessing and peace be upon him", he said: "If she does so (it is permissible) since she finished her term (of Iddat)."

2028- It is narrated on the authority of both Masruq and Amir Ibn Utbah that they wrote a letter to Subai'ah asking her about her story, and she wrote to them that she delivered her burden twenty-five nights after the death of her husband, and (when the period of postpartum passed) she got ready, looking forward to good (i.e. to be married). Abu As-Sanabil Ibn Ba'kak came upon her and said: "You were hasty (when you got ready for men to demand your hand): make your Iddat (at the conclusion of) the longer of both terms, i.e. four months and ten days." I went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Ask for (Allah's) Forgiveness for me!" he asked: "What is the matter?" I told him, thereupon he said: "If you find a good man (fitting for you), you might marry him (if you so like)."

2029- It is narrated on the authority of Al-Miswar Ibn Makhramah that the Messenger of Allah "Allah's blessing and peace be upon him" told Subai'ah to get married (if she so liked) once she finished from the postpartum period of her confinement.

2030- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: By Allah! If anyone likes, let him come to take part in the operation of sending (Allah's) Curses (upon such as gives lie to the fact that the) smaller (Surah pertaining to) Women (in which Allah says: "for those who carry (life within their wombs), their period is until they deliver their burdens" (At-Talaq 4)) was revealed after (Allah's saying): "If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days" (Al-Baqarah 234)

7 ـ بابُ الحَامِلِ المُتَوَفَّى عَنْها زَوْجُها، إذا وَضَعَتْ حَلَّتْ للأَزْوَاجِ

2027 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو الأَحْوَصِ عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ أَبِي السَّنَابِلِ؛ قَالَ: وَضَعَتْ سُبَيْعَةُ الأَسْلَمِيَّةُ بِنْتُ الْحٰرِثِ حَمْلَهَا بَعْدَ وَفَاةِ زَوْجِهَا بِبِضْعٍ وَعِشْرِينَ لَيْلَةً. فَلَمَّا تَعَلَّتْ مِنْ نِفَاسِهَا تَشَوَّفَتْ. فَعِيبَ ذٰلِكَ عَلَيْهَا. وَذُكِرَ أَمْرُهَا لِلنَّبِيِّ ﷺ. فَقَالَ: «**إِنْ تَفْعَلْ فَقَدْ مَضَىٰ أَجَلُهَا**».

2028 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ دَاوُدَ بْنِ أَبِي هِنْدٍ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، وَعَمْرِو بْنِ عُتْبَةَ؛ أَنَّهُمَا كَتَبَا إِلَى سُبَيْعَةَ بِنْتِ الْحٰرِثِ يَسْأَلَانِهَا عَنْ أَمْرِهَا. فَكَتَبَتْ إِلَيْهِمَا: إِنَّهَا وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِخَمْسَةٍ وَعِشْرِينَ. فَتَهَيَّأَتْ تَطْلُبُ الْخَيْرَ. فَمَرَّ بِهَا أَبُو السَّنَابِلِ بْنُ بَعْكَكٍ. فَقَالَ: قَدْ أَسْرَعْتِ. اعْتَدِّي آخِرَ الأَجَلَيْنِ، أَرْبَعَةَ أَشْهُرٍ وَعَشْراً. فَأَتَيْتُ النَّبِيَّ ﷺ. فَقُلْتُ: يَا رَسُولَ اللَّهِ اسْتَغْفِرْ لِي. قَالَ: «**وَفِيمَ ذٰاكَ**» فَأَخْبَرْتُهُ. فَقَالَ: «**إِنْ وَجَدْتِ زَوْجاً صَالِحاً فَتَزَوَّجِي**».

2029 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ، وَمُحَمَّدُ بْنُ بَشَّارٍ. قَالاَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ دَاوُدَ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ؛ أَنَّ النَّبِيَّ ﷺ أَمَرَ سُبَيْعَةَ أَنْ تَنْكِحَ، إِذَا تَعَلَّتْ مِنْ نِفَاسِهَا.

2030 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُثَنَّى. حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: وَاللَّهِ لَمَنْ شَاءَ لاَعَنَّاهُ لأُنْزِلَتْ سُورَةُ النِّسَاءِ الْقُصْرَى بَعْدَ أَرْبَعَةِ أَشْهُرٍ وَعَشْراً.

[8] Where Could A Woman, Whose Husband Died, Spend The Period Of Her Iddat

2031- It is narrated on the authority of Zainab Bint Ka'b Ibn Ujrah, the wife of Abu Sa'id Al-Khudri that his sister Al-Furai'ah Bint Malik Ibn Sinan said: My husband had gone out in search of some of his slaves who had fled away, and when he caught up with them near Al-Qudum they killed him; and the news of his death came while I was in one of the houses of the Ansar, far from the dwelling places of my family. I went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! The news of the death of my husband came while I was in a house vary far from the dwelling places of my family and brothers; and he (my husband) has left no maintenance to spend on myself, nor has I inherited property, nor has he left an independent house owned by him. So, if you see it better to give me permission to join the house of my family and my brothers, it would be more fitting for me." The Messenger of Allah "Allah's blessing and peace be upon him" said: "You could do if you so like." I came out, so much pleased with Allah's Judgement in my favour on the tongue of Allah's Messenger "Allah's blessing and peace be upon him"; and when I was in the courtyard of the mosque or in some place of the chamber, he called me, and said: "What did you say?" I related to him the story. Upon this he said: "Stay in your house where you received the death news of your husband until the term (of Iddat) is fulfilled." I fulfilled the Iddat of four months and ten days in the house.

[9] Is It Permissible For A Woman To Come Out (Of The House)During The Period Of Her Iddat

2032- It is narrated on the authority of Hisham Ibn Urwah from his father that he said: I entered into Marwan and said to him: "A woman of your people was divorced, and I came upon her and she was moving (from the house in which she was divorced), and (on asking her) she said: "Fatimah Bint Qais ordered us (to move) and told us that the Messenger of Allah "Allah's blessing and peace be upon him" commanded her to move (from the house in which she was divorced to the house of her family)." Marwan said: "Then, she commanded them to do so (and they do)." Urwah said: "But A'ishah criticized that and said that Fatimah was in a lonely house, and there was fear for her (to stay there), and it is for this that the Messenger of Allah "Allah's blessing and peace be upon him" gave her concession (to leave the house)."

2033- It is narrated on the authority of Hisham Ibn Urwah from his father that Fatimah Bint Qais said: "O Messenger of Allah! I'm afraid (if I

8 ـ بابٌ أَيْنَ تَعْتَدُّ الْمُتَوَفَّى عَنْهَا زَوْجُهَا

2031 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، سُلَيْمَانُ بْنُ حَيَّانَ، عَنْ سَعْدِ بْنِ إِسْحَاقَ بْنِ كَعْبِ بْنِ عُجْرَةَ، عَنْ زَيْنَبَ بِنْتِ كَعْبِ بْنِ عُجْرَةَ (وَكَانَتْ تَحْتَ أَبِي سَعِيدٍ الْخُدْرِيِّ) أَنَّ أُخْتَهُ الْفُرَيْعَةَ بِنْتَ مَالِكٍ، قَالَتْ: خَرَجَ زَوْجِي فِي طَلَبِ أَعْلاَجٍ لَهُ. فَأَدْرَكَهُمْ بِطَرَفِ الْقَدُومِ. فَقَتَلُوهُ. فَجَاءَ نَعْيُ زَوْجِي وَأَنَا فِي دَارٍ مِنْ دُورِ الأَنْصَارِ. شَاسِعَةٍ عَنْ دَارِ أَهْلِي. فَأَتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنَّهُ جَاءَ نَعْيُ زَوْجِي وَأَنَا فِي دَارٍ شَاسِعَةٍ عَنْ دَارِ أَهْلِي وَدَارِ أُخْوَتِي. وَلَمْ يَدَعْ مَالاً يُنْفِقُ عَلَيَّ، وَلاَ مَالاً وَرِثْتُهُ. وَلاَ دَاراً يَمْلِكُهَا. فَإِنْ رَأَيْتَ أَنْ تَأْذَنَ لِي فَأَلْحَقَ بِدَارِ أَهْلِي وَدَارِ إِخْوَتِي فَإِنَّهُ أَحَبُّ إِلَيَّ، وَأَجْمَعُ لِي فِي بَعْضِ أَمْرِي. قَالَ: **«فَافْعَلِي إِنْ شِئْتِ»** قَالَتْ، فَخَرَجْتُ قَرِيرَةَ عَيْنِي لِمَا قَضَى اللَّهُ لِي عَلَى لِسَانِ رَسُولِ اللَّهِ ﷺ. حَتَّى إِذَا كُنْتُ فِي الْمَسْجِدِ، أَوْ فِي بَعْضِ الْحُجْرَةِ دَعَانِي فَقَالَ: **«كَيْفَ زَعَمْتِ؟»** قَالَتْ فَقَصَصْتُ عَلَيْهِ. فَقَالَ: **«امْكُثِي فِي بَيْتِكِ الَّذِي جَاءَ فِيهِ نَعْيُ زَوْجِكِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ»** قَالَتْ: فَاعْتَدَدْتُ فِيهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً.

9 ـ بابٌ هل تَخْرُجُ الْمَرْأَةُ فِي عِدَّتِهَا

2032 ـ حدّثنا مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ. حَدَّثَنَا ابْنُ أَبِي الزِّنَادِ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ؛ قَالَ: دَخَلْتُ عَلَى مَرْوَانَ فَقُلْتُ لَهُ: امْرَأَةٌ مِنْ أَهْلِكَ طُلِّقَتْ. فَمَرَرْتُ عَلَيْهَا وَهِيَ تَنْتَقِلُ. فَقَالَتْ: أَمَرَتْنَا فَاطِمَةُ بِنْتُ قَيْسٍ، وَأَخْبَرَتْنَا أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَهَا أَنْ تَنْتَقِلَ. فَقَالَ مَرْوَانُ: هِيَ أَمَرَتْهُمْ بِذٰلِكَ. قَالَ عُرْوَةُ، فَقُلْتُ: أَمَا وَاللَّهِ لَقَدْ عَابَتْ ذٰلِكَ عَائِشَةُ، وَقَالَتْ: إِنَّ فَاطِمَةَ كَانَتْ فِي مَسْكَنٍ وَحْشٍ. فَخِيفَ عَلَيْهَا. فَلِذٰلِكَ أَرْخَصَ لَهَا رَسُولُ اللَّهِ ﷺ.

2033 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَتْ فَاطِمَةُ بِنْتُ قَيْسٍ: يَا رَسُولَ اللَّهِ إِنِّي أَخَافُ أَنْ يُقْتَحَمَ عَلَيَّ. فَأَمَرَهَا أَنْ تَتَحَوَّلَ.

stay in this lonely house) that it would be attacked (by thieves)." On that he ordered her to shift (from it to another house).

2034- It is narrated on the authority of Jabir that he said: My maternal aunt was divorced and (while being in the period of her Iddat) she wanted to pluck the (fruits of) her date-palms, but a man (from her people) withheld her from coming out for that (purpose). She went to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he said: "Nay! You might pluck (the fruits of) your date-palms: perhaps you might give out of that in charity, or you might do a favour."

[10] What About The Residence And Maintenance Of The Irrevocably Divorced Woman

2035- It is narrated on the authority of Fatimah Bint Qais that her husband divorced her thrice (i.e. irrevocably), and the Messenger of Allah "Allah's blessing and peace be upon him" made no residence nor maintenance due to her.

2036- It is narrated on the authority of Ash-Sha'bi that Fatimah Bint Qais said: My husband divorced me thrice (i.e. irrevocably) during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no residence nor maintenance due to you."

[11] The Enjoyment (Gift) Of Divorce

2037- It is narrated on the authority of Hisham Ibn Urwah from his father from A'ishah that Amrah Bint Al-Jawn sought refuge (with Allah) from the Messenger of Allah "Allah's blessing and peace be upon him" when she was brought to him to consummate marriage with her, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, you've sought refuge with (a Great One) Who gives refuge!" he divorced her, and ordered Usamah or Anas to provide for her enjoyment three white linen dresses.

[12] When A Man Denies The Divorce

2038- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If a woman claims that her husband has divorced her, and she brings a just witness to that, then, her husband should be asked to take an oath (to refute the claim): if he takes such an oath, the testimony of the witness should be cancelled; and if he flinches (to swear), his

2034 ـ **حدّثنا** سُفْيَانُ بْنُ وَكِيعٍ. حَدَّثَنَا رَوْحٌ. ح وَحَدَّثَنَا أَحْمَدُ بْنُ مَنْصُورٍ. حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ، جَمِيعاً عَنِ ابْنِ جُرَيْجٍ. أَخْبَرَنِي أَبُو الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ. قَالَ: طُلِّقَتْ خَالَتِي. فَأَرَادَتْ أَنْ تَجُدَّ نَخْلَهَا. فَزَجَرَهَا رَجُلٌ أَنْ تَخْرُجَ إِلَيْهِ. فَأَتَتِ النَّبِيَّ ﷺ فَقَالَ: «**بَلَىٰ. فَجُدِّي نَخْلَكِ. فَإِنَّكِ عَسَىٰ أَنْ تَصَدَّقِي أَوْ تَفْعَلِي مَعْرُوفاً**».

10 ـ بابُ المُطَلَّقَةِ ثَلاثاً هَلْ لها سُكْنَى ونَفَقَةٌ

2035 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا سُفْيَانُ، عَنْ أَبِي بَكْرِ بْنِ أَبِي الْجَهْمِ بْنِ صُخَيْرٍ الْعَدَوِيِّ؛ قَالَ: سَمِعْتُ فَاطِمَةَ بِنْتَ قَيْسٍ تَقُولُ: إِنَّ زَوْجَهَا طَلَّقَهَا ثَلاَثاً. فَلَمْ يَجْعَلْ لَهَا رَسُولُ اللَّهِ ﷺ سُكْنَى وَلاَ نَفَقَةً.

2036 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ؛ قَالَ: قَالَتْ فَاطِمَةُ بِنْتُ قَيْسٍ: طَلَّقَنِي زَوْجِي عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ سُكْنَى لَكِ وَلاَ نَفَقَةَ**».

11 ـ بابُ مُتْعَةِ الطَّلاقِ

2037 ـ **حدّثنا** أَحْمَدُ بْنُ الْمِقْدَامِ أَبُو الأَشْعَثِ الْعِجْلِيُّ. حَدَّثَنَا عُبَيْدُ بْنُ الْقَاسِمِ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ أَنَّ عَمْرَةَ بِنْتَ الْجَوْنِ تَعَوَّذَتْ مِنْ رَسُولِ اللَّهِ ﷺ حِينَ أُدْخِلَتْ عَلَيْهِ. فَقَالَ: «**لَقَدْ عُذْتِ بِمُعَاذٍ**» فَطَلَّقَهَا. وَأَمَرَ أُسَامَةَ أَوْ أَنَساً، فَمَتَّعَهَا بِثَلاَثَةِ أَثْوَابٍ رَازِقِيَّةٍ.

12 ـ بابُ الرَّجُلِ يَجْحَدُ الطَّلاقَ

2038 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَمْرُو بْنُ أَبِي سَلَمَةَ أَبُو حَفْصٍ التِّنِّيسِيُّ، عَنْ زُهَيْرٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنِ النَّبِيِّ ﷺ قَالَ: «**إِذَا ادَّعَتِ الْمَرْأَةُ طَلاَقَ زَوْجِهَا، فَجَاءَتْ عَلَى ذٰلِكَ بِشَاهِدِ عَدْلٍ، اسْتُحْلِفَ زَوْجُهَا. فَإِنْ حَلَفَ بَطَلَتْ شَهَادَةُ الشَّاهِدِ. وَإِنْ نَكَلَ فَنُكُولُهُ بِمَنْزِلَةِ شَاهِدٍ آخَرَ. وَجَازَ طَلاَقُهُ**».

recoiling should be regarded as a further witness (against him in the favour of the woman), and thus the divorce should become effective."

[13] When One Divorces, Marries, Or Takes Back By Way Of Jest

2039- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are three things, in connection with which both jest and solemnity should be regarded as serious: marriage, divorce, and taking back (one's wife after divorcing her)."

[14] When One Divorces In Himself, With No Announcement

2040- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, Allah overlooks for (the people of) my nation whatever (thoughts) they have in themselves (no matter evil they might be) as long as they do not express or act upon that."

[15] The Divorce Of The Crackbrained, The Young And The Sleeping One

2041- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The pen is lifted (from writing the sins) of three (types of) persons: the sleeping one until he wakes up; the boy until he grows; and the mad until he restores his mind or until he recovers." (In the narration of Abu Bakr, there is the following addition: "and the one put to distress until he is relieved.")

2042- It is narrated on the authority of Ali Ibn Abu Talib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The pen is lifted (from writing the sins) of the boy (until he grows), the mad (until he recovers), and the sleeping one (until he wakes up)."

[16] The Divorce Of Such As Put Under Compulsion Or Such As Given To Forgetfulness

2043- It is narrated on the authority of Abu Dharr Al-Ghifari that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, Allah excuses for (the people of) my nation (whatever is committed by) mistake, forgetfulness, or that which they are forced to do under compulsion."

2044- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah excuses for (the people of) my nation whatever (evil) whispers

13 ـ بابُ مَنْ طَلَّقَ أَوْ نَكَحَ أَوْ رَاجَعَ لاعِباً

2039 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ حَبِيبِ بْنِ أَرْدَكَ. حَدَّثَنَا عَطَاءُ بْنُ أَبِي رَبَاحٍ، عَنْ يُوسُفَ بْنِ مَاهَكَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«ثَلاثٌ جِدُّهُنَّ جِدٌّ، وَهَزْلُهُنَّ جِدٌّ: النِّكَاحُ وَالطَّلاقُ وَالرَّجْعَةُ»**.

14 ـ بابُ مَنْ طَلَّقَ فِي نَفْسِهِ ولَمْ يَتَكَلَّمْ به

2040 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، وَعَبْدَةُ بْنُ سُلَيْمَانَ. ح وَحَدَّثَنَا حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا خَالِدُ بْنُ الْحٰرِثِ، جَمِيعاً عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ زُرَارَةَ بْنِ أَوْفَىٰ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ اللَّهَ تَجَاوَزَ لِأُمَّتِي عَمَّا حَدَّثَتْ بِهِ أَنْفُسَهَا. مَا لَمْ تَعْمَلْ بِهِ، أَوْ تَكَلَّمْ بِهِ»**.

15 ـ بابُ طَلاقِ المَعْتُوهِ والصَّغِيرِ والنَّائِمِ

2041 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ خَالِدِ بْنِ خِدَاشٍ، وَمُحَمَّدُ بْنُ يَحْيَىٰ. قَالاَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ حَمَّادٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«رُفِعَ الْقَلَمُ عَنْ ثَلاثَةٍ: عَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ. وَعَنِ الصَّغِيرِ حَتَّى يَكْبَرَ. وَعَنِ الْمَجْنُونِ حَتَّى يَعْقِلَ، أَوْ يُفِيقَ»**.

قَالَ أَبُو بَكْرٍ، فِي حَدِيثِهِ: **«وَعَنِ الْمُبْتَلَىٰ حَتَّى يَبْرَأَ»**.

2042 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ. حَدَّثَنَا ابْنُ جُرَيْجٍ. أَنْبَأَنَا الْقَاسِمُ بْنُ يَزِيدَ، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«يُرْفَعُ الْقَلَمُ عَنِ الصَّغِيرِ وَعَنِ الْمَجْنُونِ وَعَنِ النَّائِمِ»**.

16 ـ بابُ طَلاقِ المُكْرَهِ والنَّاسِي

2043 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ مُحَمَّدِ بْنِ يُوسُفَ الْفِرْيَابِيُّ. حَدَّثَنَا أَيُّوبُ بْنُ سُوَيْدٍ. حَدَّثَنَا أَبُو بَكْرٍ الْهُذَلِيُّ، عَنْ شَهْرِ بْنِ حَوْشَبٍ، عَنْ أَبِي ذَرٍّ الْغِفَارِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ اللَّهَ تَجَاوَزَ عَنْ أُمَّتِي الْخَطَأَ وَالنِّسْيَانَ، وَمَا اسْتُكْرِهُوا عَلَيْهِ»**.

2044 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ مِسْعَرٍ، عَنْ قَتَادَةَ، عَنْ زُرَارَةَ بْنِ أَوْفَىٰ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ اللَّهَ تَجَاوَزَ لِأُمَّتِي عَمَّا تُوَسْوِسُ بِهِ صُدُورُهَا. مَا لَمْ تَعْمَلْ بِهِ أَوْ تَتَكَلَّمْ بِهِ. وَمَا اسْتُكْرِهُوا عَلَيْهِ»**.

are within their breasts, as long as they do not express or act upon that; and (He overlooks) that which they are forced to do under compulsion."

2045- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, Allah removes from (the people of) my nation (whatever sins are committed by) mistake, forgetfulness, or that which they are forced to do under compulsion."

2046- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no (pronouncement to be valid for) divorce nor emancipation while one is in the state of anger (or is under compulsion)."

[17] There Is No Divorce Before Marriage

2047- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "One could not pronounce divorce in that which is not in his possession." (I.e. one could not divorce a woman before he marries her)

2048- It is narrated on the authority of Al-Miswar Ibn Makhramah that Allah's Apostle "Allah's blessing and peace be upon him" said: "There is no divorce (to be done and regarded as valid) before marriage, nor is there emancipation (of a slave) before having him in one's possession."

2049- It is narrated on the authority of Ali Ibn Abu Talib "Allah be pleased with him" that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no divorce (to be done and regarded as valid) before marriage."

[18] Which Expression Does Cause Divorce To Come In Force

2050- It is narrated on the authority of Al-Awza'i that he said: I asked Az-Zuhri: Who from amongst the wives of the Messenger of Allah "Allah's blessing and peace be upon him" did seek refuge (with Allah) from him? He said: Urwah told me from A'ishah that when the daughter of Al-Jawn was brought to the Messenger of Allah "Allah's blessing and peace be upon him" to consummate marriage with her, and he came closer to her, she said: "I seek refuge with Allah from you!" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, you've sought refuge with One Who is Most Great: join your family!" (By this phrase he expressed his divorcing her)

2045 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُصَفَّى الْحِمْصِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ. حَدَّثَنَا الأَوْزَاعِيُّ عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «**إِنَّ اللَّهَ وَضَعَ عَنْ أُمَّتِي الْخَطَأَ وَالنِّسْيَانَ وَمَا اسْتُكْرِهُوا عَلَيْهِ**».

2046 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ ثَوْرٍ، عَنْ عُبَيْدِ بْنِ أَبِي صَالِحٍ، عَنْ صَفِيَّةَ بِنْتِ شَيْبَةَ؛ قَالَتْ: حَدَّثَتْنِي عَائِشَةُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ طَلاَقَ، وَلاَ عَتَاقَ فِي إِغْلاَقٍ**».

17 ـ بابٌ «لا طَلاقَ قَبْلَ النِّكَاحِ»

2047 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا هُشَيْمٌ. أَنْبَأَنَا عَامِرٌ الأَحْوَلُ. ح وَحَدَّثَنَا أَبُو كُرَيْبٍ. حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْحٰرِثِ، جَمِيعاً عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ طَلاَقَ فِيمَا لاَ يَمْلِكُ**».

2048 ـ **حدّثنا** أَحْمَدُ بْنُ سَعِيدٍ الدَّارِمِيُّ. حَدَّثَنَا عَلِيُّ بْنُ الْحُسَيْنِ بْنِ وَاقِدٍ. حَدَّثَنَا هِشَامُ بْنُ سَعْدٍ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ طَلاَقَ قَبْلَ نِكَاحٍ. وَلاَ عِتْقَ قَبْلَ مِلْكٍ**».

2049 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا مَعْمَرٌ، عَنْ جُوَيْبِرٍ، عَنِ الضَّحَّاكِ، عَنِ النَّزَّالِ بْنِ سَبْرَةَ، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ طَلاَقَ قَبْلَ النِّكَاحِ**».

18 ـ بابُ ما يَقَعُ بِهِ الطَّلاقُ مِنَ الكَلامِ

2050 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ. حَدَّثَنَا الأَوْزَاعِيُّ. قَالَ: سَأَلْتُ الزُّهْرِيَّ: أَيُّ أَزْوَاجِ النَّبِيِّ ﷺ اسْتَعَاذَتْ مِنْهُ؟ فَقَالَ: أَخْبَرَنِي عُرْوَةُ عَنْ عَائِشَةَ أَنَّ ابْنَةَ الْجَوْنِ لَمَّا دَخَلَتْ عَلَى رَسُولِ اللَّهِ ﷺ، فَدَنَا مِنْهَا، قَالَتْ: أَعُوذُ بِاللَّهِ مِنْكَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**عُذْتِ بِعَظِيمٍ. الْحَقِي بِأَهْلِكِ**».

[19] Uttering Three Pronouncements Of Divorce

2051- It is narrated on the authority of Abdullah Ibn Ali Ibn Yazid Ibn Rukanah from his father from his grandfather that he divorced his wife with three pronouncements (all at once); and then he went to the Messenger of Allah "Allah's blessing and peace be upon him" and asked him, thereupon he said to him: "What have you intended by that (divorce)?" he said: "I've intended only one (divorce)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "(Do you swear) by Allah that you've intended only one (divorce) by that?" he said: "(I swear) by Allah that I've intended only one (divorce)." On that he brought her back to him. Muhammad Ibn Majah said: I heard Abu Al-Hasan Ali Ibn Muhammad At-Tanafisi having said: How honourable this narration is!

[20] When A Man Gives His Wife The Freedom To Choose (Whether To Stay With Him Or Leave Him)

2052- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" gave us (his wives) the freedom to choose (whether to stay with him or leave him); and we all chose (to stay with) him. But we did not think this was (divorce).

2053- It is narrated on the authority of A'ishah that when it was revealed: "But if you seek Allah and His Messenger, and the Home of the Hereafter, verily Allah has prepared for the well-doers amongst you a great reward" (Al-Ahzab 29) The Messenger of Allah "Allah's blessing and peace be upon him" came to me and said: "O A'ishah! I am going to tell you something to which there is no harm on you if you give no hasty reply before consulting your parents", though he knows that my parents were not to order me to depart from him." A'ishah added: "He (The Prophet) recited to me: "O Prophet say to your Consorts: if it be that you desire the life of this world, and its glitter, then come I will provide for your enjoyment and set free in a handsome manner." I said: "What is that on which I should take my parents' opinion? Of course I want Allah and His Messenger.""

[21] The Optional Divorce From The Part Of The Woman Is Undesirable

2054- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Never does a woman ask her husband to divorce her improperly (i.e. when there is no necessity) but that she will not detect the smell of the Garden, even though its smell is (so much odorous that it is) detected from (a distance as far as is covered in) forty years."

19 ـ بابُ طَلاقِ البَتَّةِ

2051 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ عَنْ جَرِيرِ بْنِ حَازِمٍ، عَنِ الزُّبَيْرِ بْنِ سَعِيدٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَلِيِّ بْنِ يَزِيدَ بْنِ رُكَانَةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّهُ طَلَّقَ امْرَأَتَهُ الْبَتَّةَ. فَأَتَىٰ رَسُولَ اللَّهِ ﷺ فَسَأَلَهُ. فَقَالَ: **«مَا أَرَدْتَ بِهَا؟»** قَالَ: وَاحِدَةً. قَالَ: **«آللَّهِ مَا أَرَدْتَ بِهَا إِلاَّ وَاحِدَةً؟»** قَالَ: آللَّهِ مَا أَرَدْتُ بِهَا إِلاَّ وَاحِدَةً. قَالَ، فَرَدَّهَا عَلَيْهِ.

قَالَ مُحَمَّدُ بْنُ مَاجَةَ: سَمِعْتُ أَبَا الْحَسَنِ عَلِيَّ بْنَ مُحَمَّدٍ الطَّنَافِسِيَّ يَقُولُ: مَا أَشْرَفَ هٰذَا الْحَدِيثَ.

قَالَ ابْنُ مَاجَةَ: أَبُو عُبَيْدٍ تَرَكَهُ نَاجِيَةً، وَأَحْمَدُ جَبُنَ عَنْهُ.

20 ـ بابُ الرَّجُلِ يُخَيِّرُ امْرَأَتَهُ

2052 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: خَيَّرَنَا رَسُولُ اللَّهِ ﷺ، فَاخْتَرْنَاهُ. فَلَمْ يَرَهُ شَيْئاً.

2053 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا مَعْمَرٌ عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: لَمَّا نَزَلَتْ: ﴿وَإِن كُنتُنَّ تُرِدْنَ ٱللَّهَ وَرَسُولَهُۥ﴾ [الأحزاب: 29] دَخَلَ عَلَيَّ رَسُولُ اللَّهِ ﷺ فَقَالَ: **«يَا عَائِشَةُ إِنِّي ذَاكِرٌ لَكِ أَمْراً. فَلاَ عَلَيْكِ أَنْ لاَ تَعْجَلِي فِيهِ حَتَّى تَسْتَأْمِرِي أَبَوَيْكِ»** قَالَتْ: قَدْ عَلِمَ، وَاللَّهِ أَنَّ أَبَوَيَّ لَمْ يَكُونَا لِيَأْمُرَانِي بِفِرَاقِهِ. قَالَتْ: فَقَرَأَ عَلَيَّ: ﴿يَٰٓأَيُّهَا ٱلنَّبِيُّ قُل لِّأَزْوَٰجِكَ إِن كُنتُنَّ تُرِدْنَ ٱلْحَيَوٰةَ ٱلدُّنْيَا وَزِينَتَهَا﴾ [الأحزاب: 28] الآيَاتِ. فَقُلْتُ: فِي هٰذَا أَسْتَأْمِرُ أَبَوَيَّ!؟ قَدِ اخْتَرْتُ اللَّهَ وَرَسُولَهُ.

21 ـ بابُ كَرَاهِيَةِ الخُلْعِ للمَرْأَةِ

2054 ـ **حدّثنا** بَكْرُ بْنُ خَلَفٍ، أَبُو بِشْرٍ. حَدَّثَنَا أَبُو عَاصِمٍ عَنْ جَعْفَرِ بْنِ يَحْيَىٰ بْنِ ثَوْبَانَ، عَنْ عَمِّهِ عُمَارَةَ بْنِ ثَوْبَانَ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«لاَ تَسْأَلُ الْمَرْأَةُ زَوْجَهَا الطَّلاَقَ فِي غَيْرِ كُنْهِهِ فَتَجِدَ رِيحَ الْجَنَّةِ. وَإِنَّ رِيحَهَا لَيُوجَدُ مِنْ مَسِيرَةِ أَرْبَعِينَ عَاماً»**.

2055- It is narrated on the authority of Thawban that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "Any woman who asks her husband to divorce her when there is no necessity (or harm to cause her to do so), the smell of the Garden becomes forbidden to her."

[22] Does The Woman Who Is Divorced On Her Request Take What Is Given To Her

2056- It is narrated on the authority of Ibn Abbas that he said: Jamilah Bint Salul came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "By Allah! I never criticize Thabit for anything pertaining to religion or conduct: but I dislike to (recess to the manners of) infidelity while being in the state of Islam: I could not endure (living with) him out of aversion (I have towards him)." The Messenger of Allah "Allah's blessing and peace be upon him" asked her: "Should you bring back to him his garden (he gave you as dower)?" she answered in the affirmative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" ordered him to (divorce her and) take back his garden from her, with nothing more.

2057- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: Habibah Bint Sahl was the wife of Qais Ibn Thabit Ibn Shammas, and he was an ugly man. She came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! By Allah: Had it not been for fear of Allah, I would have spat in his face whenever he entered into me (out of my repugnance to his features)." The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "Should you bring back his garden to him?" she answered in the affirmative, and gave him back his garden. On that the Messenger of Allah "Allah's blessing and peace be upon him" parted them.

[23] The Iddat Of Such As Divorced On Her Request

2058- It is narrated on the authority of Ubadah Ibn Al-Walid Ibn Ubadah Ibn As-Samit from Ar-Rubai Bint Mu'awwidh Bint Afra' that he said to her: Relate to me your story. She said: I was parted from my husband on my request and then I came to Uthman and asked him: "What (term of) Iddat is due upon me?" he said: "There is no Iddat binding upon you except in case he had sexual relation with you a short time (before your parting): in this case, you should stay in his house until you get menses." In this (judgement), he followed the judgement passed by the Messenger of Allah "Allah's blessing and peace be upon him" on Maryam Al-Maghariyyah, the wife of Thabit Ibn Qais, and she was parted from him on her request.

2055 ـ **حدّثنا** أَحْمَدُ بْنُ الأَزْهَرِ. حَدَّثَنَا مُحَمَّدُ بْنُ الْفَضْلِ، عَنْ حَمَّادِ بْنِ زَيْدٍ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، عَنْ أَبِي أَسْمَاءَ، عَنْ ثَوْبَانَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَيُّمَا امْرَأَةٍ سَأَلَتْ زَوْجَهَا الطَّلاَقَ فِي غَيْرِ مَا بَأْسٍ، فَحَرَامٌ عَلَيْهَا رَائِحَةُ الْجَنَّةِ»**.

22 ـ بابُ المُخْتَلِعَةِ تَأْخُذُ مَا أَعْطَاهَا

2056 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. حَدَّثَنَا عَبْدُ الأَعْلَى بْنُ عَبْدِ الأَعْلَى. حَدَّثَنَا سَعِيدُ بْنُ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ جَمِيلَةَ بِنْتَ سَلُولٍ أَتَتِ النَّبِيَّ ﷺ فَقَالَتْ: وَاللَّهِ مَا أَعْتِبُ عَلَى ثَابِتٍ فِي دِينٍ وَلاَ خُلُقٍ. وَلَكِنِّي أَكْرَهُ الْكُفْرَ فِي الإِسْلاَمِ. لاَ أُطِيقُهُ بُغْضاً. فَقَالَ لَهَا النَّبِيُّ ﷺ: **«أَتَرُدِّينَ عَلَيْهِ حَدِيقَتَهُ؟»** قَالَتْ: نَعَمْ. فَأَمَرَهُ رَسُولُ اللَّهِ ﷺ أَنْ يَأْخُذَ مِنْهَا حَدِيقَتَهُ وَلاَ يَزْدَادَ.

2057 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ عَنْ حَجَّاجٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: كَانَتْ حَبِيبَةُ بِنْتُ سَهْلٍ تَحْتَ ثَابِتِ بْنِ قَيْسِ بْنِ شَمَّاسٍ. وَكَانَ رَجُلاً دَمِيماً. فَقَالَتْ: يَا رَسُولَ اللَّهِ، وَاللَّهِ، لَوْلاَ مَخَافَةُ اللَّهِ، إِذَا دَخَلَ عَلَيَّ، لَبَصَقْتُ فِي وَجْهِهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«أَتَرُدِّينَ عَلَيْهِ حَدِيقَتَهُ؟»** قَالَتْ: نَعَمْ. قَالَ، فَرَدَّتْ عَلَيْهِ حَدِيقَتَهُ. قَالَ، فَفَرَّقَ بَيْنَهُمَا رَسُولُ اللَّهِ ﷺ.

23 ـ بابُ عِدَّةِ المُخْتَلِعَةِ

2058 ـ **حدّثنا** عَلِيُّ بْنُ سَلَمَةَ النَّيْسَابُورِيُّ. حَدَّثَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ بْنِ سَعْدٍ. حَدَّثَنَا أَبِي عَنِ أَبِي إِسْحَاقَ. أَخْبَرَنِي عُبَادَةُ بْنُ الْوَلِيدِ بْنِ عُبَادَةَ بْنِ الصَّامِتِ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ، عَنِ الرُّبَيِّعِ بِنْتِ مُعَوِّذِ بْنِ عَفْرَاءَ؛ قَالَ، قُلْتُ لَهَا: حَدِّثِينِي حَدِيثَكِ. قَالَتِ: اخْتَلَعْتُ مِنْ زَوْجِي. ثُمَّ جِئْتُ عُثْمَانَ. فَسَأَلْتُ: مَاذَا عَلَيَّ مِنَ الْعِدَّةِ؟ فَقَالَ: لاَ عِدَّةَ عَلَيْكِ، إِلاَّ أَنْ يَكُونَ حَدِيثَ عَهْدٍ بِكِ، فَتَمْكُثِينَ عِنْدَهُ حَتَّى تَحِيضِينَ حَيْضَةً. قَالَتْ: وَإِنَّمَا تَبِعَ فِي ذَلِكَ قَضَاءَ رَسُولِ اللَّهِ ﷺ فِي مَرْيَمَ الْمَغَالِيَّةِ. وَكَانَتْ تَحْتَ ثَابِتِ بْنِ قَيْسٍ، فَاخْتَلَعَتْ مِنْهُ.

[24] Taking An Oath To Abstain From One's Wives

2059- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" took an oath not to visit his wives for a month. He spent twenty-nine days, and when it was the evening before the thirtieth, he entered upon me, and I said: "You took an oath not to visit us for a month (and now only twenty-nine days have passed)." On that he said: "The (lunar) month might be as such (sending his (ten) fingers thrice), and the (lunar) month might be as such" and in the third time, he sent all of his fingers, and withdrew one of them (indicating that it might be twenty-nine days).

2060- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" took an oath to abstain from his wives when Zainab gave him back his present, which led A'ishah to say: "No doubt, she have dealt with you slightly." On that he "Allah's blessing and peace be upon him" became angry, and took an oath to keep himself away from all of them (in order that none of them would do the same once again).

2061- It is narrated on the authority of Umm Salamah that the Messenger of Allah "Allah's blessing and peace be upon him" took an oath to abstain from some of his wives for a month. When twenty-nine (days) elapsed, he came to them either in the evening or in the morning, thereupon it was said to him: "O Messenger of Allah! Only twenty-nine (days) have passed." On that he said: "The (lunar) month might be twenty-nine (days)."

[25] The Zihar

(It is to make one's wife unlawful to him as far as sexual relation is concerned, the same as is the back of his mother to him.)

2062- It is narrated on the authority of Salamah Ibn Sakhr Al-Bayadi: I was a man, who was endowed with (such power and desire for) having sexual relations with women as none has ever been given. When Ramadan entered upon us, I made my wife unlawful for me by Zihar until it would elapse, (in the narration of the grand imam Ahmad, for fear that I might have sexual relation with her on one night, and (the operation) would continue until morning without being able to finish it). While she was talking to me one night, something of her body was uncovered to me, thereupon I jumped over her, and had sexual relation with her. When it was morning, I went to my people and told them the story, and asked them to enquire (the verdict of) the Messenger of Allah "Allah's blessing and peace be upon him". They said: "By Allah! We are not to do so, lest something

24 ـ بابُ الإيلاءِ

2059 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ أَبِي الرِّجَالِ، عَنْ أَبِيهِ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: أَقْسَمَ رَسُولُ اللَّهِ ﷺ أَنْ لاَ يَدْخُلَ عَلَى نِسَائِهِ شَهْراً. فَمَكَثَ تِسْعَةً وَعِشْرِينَ يَوْماً. حَتَّى إِذَا كَانَ مَسَاءَ ثَلاَثِينَ، دَخَلَ عَلَيَّ. فَقُلْتُ: إِنَّكَ أَقْسَمْتَ أَنْ لاَ تَدْخُلَ عَلَيْنَا شَهْراً. فَقَالَ: «**الشَّهْرُ كَذَا**» يُرْسِلُ أَصَابِعَهُ فِيهِ ثَلاَثَ مَرَّاتٍ «**وَالشَّهْرُ كَذَا**» وَأَرْسَلَ أَصَابِعَهُ كُلَّهَا، وَأَمْسَكَ إِصْبَعاً وَاحِداً فِي الثَّالِثَةِ.

2060 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا يَحْيَىٰ بْنُ زَكَرِيَّا بْنِ أَبِي زَائِدَةَ، عَنْ حَارِثَةَ بْنِ مُحَمَّدٍ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ إِنَّمَا آلَى، لِأَنَّ زَيْنَبَ رَدَّتْ عَلَيْهِ هَدِيَّتَهُ. فَقَالَتْ عَائِشَةُ: لَقَدْ أَقْمَأَتْكَ. فَغَضِبَ ﷺ. فَآلَى مِنْهُنَّ.

2061 ـ **حدّثنا** أَحْمَدُ بْنُ يُوسُفَ السُّلَمِيُّ. حَدَّثَنَا أَبُو عَاصِمٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ يَحْيَىٰ بْنِ عَبْدِ اللَّهِ بْنِ مُحَمَّدِ بْنِ صَيْفِيٍّ، عَنْ عِكْرِمَةَ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أُمِّ سَلَمَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ آلَى مِنْ بَعْضِ نِسَائِهِ شَهْراً. فَلَمَّا كَانَ تِسْعَةً وَعِشْرِينَ رَاحَ أَوْ غَدَا. فَقِيلَ: يَا رَسُولَ اللَّهِ إِنَّمَا مَضَىٰ تِسْعٌ وَعِشْرُونَ. فَقَالَ: «**الشَّهْرُ تِسْعٌ وَعِشْرُونَ**».

25 ـ بابُ الظِّهَارِ

2062 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ. حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ عَمْرِو بْنِ عَطَاءٍ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، عَنْ سَلَمَةَ بْنِ صَخْرٍ الْبَيَاضِيِّ؛ قَالَ: كُنْتُ امْرَأً أَسْتَكْثِرُ مِنَ النِّسَاءِ. لاَ أُرَى رَجُلاً كَانَ يُصِيبُ مِنْ ذٰلِكَ مَا أُصِيبُ. فَلَمَّا دَخَلَ رَمَضَانُ ظَاهَرْتُ مِنِ امْرَأَتِي حَتَّى يَنْسَلِخَ رَمَضَانُ. فَبَيْنَمَا هِيَ تُحَدِّثُنِي ذَاتَ لَيْلَةٍ انْكَشَفَ لِي مِنْهَا شَيْءٌ. فَوَثَبْتُ عَلَيْهَا فَوَاقَعْتُهَا. فَلَمَّا أَصْبَحْتُ غَدَوْتُ عَلَى قَوْمِي. فَأَخْبَرْتُهُمْ خَبَرِي. وَقُلْتُ لَهُمْ: سَلُوا لِي رَسُولَ اللَّهِ ﷺ. فَقَالُوا: مَا كُنَّا نَفْعَلُ. إِذاً يُنْزِلُ اللَّهُ فِينَا كِتَاباً، أَوْ يَكُونَ فِينَا مِنْ رَسُولِ اللَّهِ ﷺ قَوْلٌ، فَيَبْقَى عَلَيْنَا عَارُهُ، وَلٰكِنْ سَوْفَ نُسَلِّمُكَ بِجَرِيرَتِكَ. اذْهَبْ أَنْتَ فَاذْكُرْ شَأْنَكَ لِرَسُولِ اللَّهِ ﷺ. قَالَ، فَخَرَجْتُ حَتَّى جِئْتُهُ، فَأَخْبَرْتُهُ الْخَبَرَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَنْتَ بِذَاكَ؟**» فَقُلْتُ: أَنَا بِذَاكَ. وَهَا أَنَا، يَا رَسُولَ اللَّهِ صَابِرٌ لِحُكْمِ اللَّهِ

(of Revelation) would be sent concerning us, or lest the Messenger of Allah "Allah's blessing and peace be upon him" would say something concerning us, whose shame would pursue us afterwards. But, we should leave you to your sin: go yourself, and make a mention of your story to the Messenger of Allah "Allah's blessing and peace be upon him"." I set out and came direct to the Messenger of Allah "Allah's blessing and peace be upon him", and told him my story, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Have you really done so?" I said: "I've really done so; and here I'm, O Messenger of Allah, constantly patient on the Commandment of Allah concerning me." he said to me: "Emancipate a slave!" I said: "Nay, by Him, Who has sent you with the truth! I now no longer have got but myself." He ordered me to observe two-month fasts consecutively, thereupon I said: "O Messenger of Allah! Has I not received such (misfortune) as has befallen me but during the fasts (of no more than a month successively)?" he ordered me to give in charity, or feed sixty indigent persons, thereupon I said to him: "By Him Who has sent you with the truth! We spent this night of ours, with even no supper to have." He then said: "Go to the collector of the (objects of) charity of Banyu Zuraiq, and tell him to give it to you thereof feed sixty indigent ones, and sustain yourself (and your dependents) with the remaining portion of it."

2063- It is narrated on the authority of A'ishah that she said: "Blessed be Allah, Whose Hearing encompasses all things. I was hearing the speech of Khawlah Bint Tha'labah, some of which was hidden from me, while she was complaining her husband to the Messenger of Allah "Allah's blessing and peace be upon him", saying: "O Messenger of Allah! He consumed my youth, and I gave birth to many children for him, and when I grew old, and unable to give birth, he made me unlawful for him by way of Zihar. O Allah! I complain to You (of my husband).!" She did not leave until Gabriel came with this Verse: "Allah has indeed heard (and accepted) the statement of the woman who pleads with you concerning her husband." (Al-Mujadilah 1)

[26] Can Such As Makes His Wife Unlawful For Him By Way Of Zihar Have Sexual Relation With Her Before Expiation

2064- It is narrated on the authority of Salamah Ibn Sakhr Al-Bayadi from the Messenger of Allah "Allah's blessing and peace be upon him" that he said concerning the permissibility for such as makes his wife unlawful for him by way of Zihar to have sexual relation with her before he makes expiation: "Let it be one expiation!"

عَلَيَّ. قَالَ: «**فَأَعْتِقْ رَقَبَةً**» قَالَ، قُلْتُ: وَالَّذِي بَعَثَكَ بِالْحَقِّ مَا أَصْبَحْتُ أَمْلِكُ إِلاَّ رَقَبَتِي هٰذِهِ. قَالَ: «**فَصُمْ شَهْرَيْنِ مُتَتَابِعَيْنِ**» قَالَ، قُلْتُ: يَا رَسُولَ اللَّهِ وَهَلْ دَخَلَ عَلَيَّ مَا دَخَلَ مِنَ الْبَلاَءِ إِلاَّ بِالصَّوْمِ؟ قَالَ: «**فَتَصَدَّقْ أَوْ أَطْعِمْ سِتِّينَ مِسْكِيناً**» قَالَ، قُلْتُ: وَالَّذِي بَعَثَكَ بِالْحَقِّ لَقَدْ بِتْنَا لَيْلَتَنَا هٰذِهِ، مَا لَنَا عَشَاءٌ. قَالَ: «**فَاذْهَبْ إِلَى صَاحِبِ صَدَقَةِ بَنِي زُرَيْقٍ فَقُلْ لَهُ، فَلْيَدْفَعْهَا إِلَيْكَ. وَأَطْعِمْ سِتِّينَ مِسْكِيناً. وَانْتَفِعْ بِبَقِيَّتِهَا**».

2063 ـ حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي عُبَيْدَةَ. حَدَّثَنَا أَبِي عَنِ الأَعْمَشِ، عَنْ تَمِيمِ بْنِ سَلَمَةَ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، قَالَ: قَالَتْ عَائِشَةُ: تَبَارَكَ الَّذِي وَسِعَ سَمْعُهُ كُلَّ شَيْءٍ. إِنِّي لأَسْمَعُ كَلاَمَ خَوْلَةَ بِنْتِ ثَعْلَبَةَ، وَيَخْفَى عَلَيَّ بَعْضُهُ، وَهِيَ تَشْتَكِي زَوْجَها إِلَى رَسُولِ اللَّهِ ﷺ. وَهِيَ تَقُولُ: يَا رَسُولَ اللَّهِ أَكَلَ شَبَابِي. وَنَثَرْتُ لَهُ بَطْنِي. حَتَّى إِذَا كَبِرَتْ سِنِّي، وَانْقَطَعَ وَلَدِي، ظَاهَرَ مِنِّي. اللَّهُمَّ إِنِّي أَشْكُو إِلَيْكَ. فَمَا بَرِحَتْ حَتَّى نَزَلَ جِبْرَائِيلُ بِهٰؤُلاَءِ الآيَاتِ: ﴿قَدْ سَمِعَ ٱللَّهُ قَوْلَ ٱلَّتِى تُجَٰدِلُكَ فِى زَوْجِهَا وَتَشْتَكِىٓ إِلَى ٱللَّهِ﴾ [المجادلة: 1].

26 ـ بابُ المُظَاهِرِ يُجَامِعُ قَبْلَ أَنْ يُكَفِّرَ

2064 ـ حدّثنا عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ عَمْرِو بْنِ عَطَاءٍ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، عَنْ سَلَمَةَ بْنِ صَخْرٍ الْبَيَاضِيِّ، عَنِ النَّبِيِّ ﷺ، فِي الْمُظَاهِرِ يُوَاقِعُ قَبْلَ أَنْ يُكَفِّرَ. قَالَ: «**كَفَّارَةٌ وَاحِدَةٌ**».

2065- It is narrated on the authority of Ibn Abbas that a man made his wife unlawful for him by way of Zihar; and then he had sexual intercourse with her before making expiation. He came to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him, thereupon he said: "What led you to do so?" he said: "I saw her bangle in the moonlight (which stimulated in me the desire for her)." On that the Messenger of Allah "Allah's blessing and peace be upon him" smiled and ordered him not to approach her until he would make expiation.

[27] What About Li'an

(Invoking Allah's curse upon the liar of the couple when the husband accuses his wife of committing adultery)

2066- It is narrated on the authority of Sahl Ibn Sa'd As-Sa'idi: Uwaimer came to Asim Ibn Adi and said: "Ask on my behalf the Messenger of Allah "Allah's blessing and peace be upon him" about a man who has found another man with his wife? Should he kill him whereupon you would kill him (The husband), or what should he do? Asim asked The Prophet "Allah's blessing and peace be upon him" about that, but Allah's Apostle "Allah's blessing and peace be upon him" disliked the question and considered it as shameful. Then, Uwaimer asked him: "What have you done?" Asim replied: "What I've done is that you brought to me no good. I asked Allah's Apostle "Allah's blessing and peace be upon him" about that, and he disliked such questions and considered them as shameful." Uwaimer then said: "By Allah, I will come to Allah's Apostle "Allah's blessing and peace be upon him" and ask him about it." When he came to The Prophet "Allah's blessing and peace be upon him" he found out that the Divine revelation had been sent in connection with their (case) thereupon, he (the Prophet) carried out the (measures of) invoking Allah's Curse upon the liar of both (he and his wife). Uwaimer said: "O Allah's Apostle! If I kept her I would be a liar." So Uwaimer divorced her thrice before being ordered by The Messenger of Allah "Allah's blessing and peace be upon him". In this way, divorce became a tradition afterwards for those who happened to be involved in a case of invoking Allah's curse upon the liar of the couple (husband and wife) when she is accused of committing adultery. Then, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Watch her: if she gives birth to a child of black complexion, large black eyes, huge thighs, I do not think but he (her husband) has told the truth about her; and if she gives

2065 ـ **حدّثنا** الْعَبَّاسُ بْنُ يَزِيدَ. قَالَ: حَدَّثَنَا غُنْدَرٌ. حَدَّثَنَا مَعْمَرٌ عَنِ الْحَكَمِ بْنِ أَبَانٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَجُلاً ظَاهَرَ مِنِ امْرَأَتِهِ. فَغَشِيَهَا قَبْلَ أَنْ يُكَفِّرَ. فَأَتَى النَّبِيَّ ﷺ، فَذَكَرَ ذٰلِكَ لَهُ. فَقَالَ: «**مَا حَمَلَكَ عَلَى ذٰلِكَ؟**» فَقَالَ: يَا رَسُولَ اللَّهِ رَأَيْتُ بَيَاضَ حِجْلَيْهَا فِي الْقَمَرِ، فَلَمْ أَمْلِكْ نَفْسِي أَنْ وَقَعْتُ عَلَيْهَا. فَضَحِكَ رَسُولُ اللَّهِ ﷺ وَأَمَرَهُ أَلاَّ يَقْرَبَهَا حَتَّى يُكَفِّرَ.

27 ـ بابُ اللِّعَانِ

2066 ـ **حدّثنا** أَبُو مَرْوَانَ، مُحَمَّدُ بْنُ عُثْمَانَ الْعُثْمَانِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعِيدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيِّ؛ قَالَ: جَاءَ عُوَيْمِرٌ إِلَى عَاصِمِ بْنِ عَدِيٍّ، فَقَالَ: سَلْ لِي رَسُولَ اللَّهِ ﷺ: أَرَأَيْتَ رَجُلاً وَجَدَ مَعَ امْرَأَتِهِ رَجُلاً فَقَتَلَهُ، أَيُقْتَلُ بِهِ؟ أَمْ كَيْفَ يَصْنَعُ؟ فَسَأَلَ عَاصِمٌ رَسُولَ اللَّهِ ﷺ عَنْ ذٰلِكَ فَعَابَ رَسُولُ اللَّهِ ﷺ الْمَسَائِلَ. ثُمَّ لَقِيَهُ عُوَيْمِرٌ فَسَأَلَهُ، فَقَالَ: مَا صَنَعْتَ؟ فَقَالَ: صَنَعْتُ أَنَّكَ لَمْ تَأْتِنِي بِخَيْرٍ. سَأَلْتُ رَسُولَ اللَّهِ ﷺ فَعَابَ الْمَسَائِلَ. فَقَالَ عُوَيْمِرٌ: وَاللَّهِ لآتِيَنَّ رَسُولَ اللَّهِ ﷺ وَلأَسْأَلَنَّهُ. فَأَتَى رَسُولَ اللَّهِ ﷺ فَوَجَدَهُ قَدْ أُنْزِلَ عَلَيْهِ فِيهِمَا. فَلاَعَنَ بَيْنَهُمَا. فَقَالَ عُوَيْمِرٌ: وَاللَّهِ لَئِنِ انْطَلَقْتُ بِهَا يَا رَسُولَ اللَّهِ لَقَدْ كَذَبْتُ عَلَيْهَا. قَالَ: فَفَارَقَهَا قَبْلَ أَنْ يَأْمُرَهُ رَسُولُ اللَّهِ ﷺ. فَصَارَتْ سُنَّةً فِي الْمُتَلاَعِنَيْنِ.

birth to a child of red complexion as if he is a Wahrah (a land red insect), I do not think but he has told a lie." Then, she gave birth to a child having features in agreement with what is hateful (i.e. which referred to her committing fornication).

2067- It is narrated on the authority of Ibn Abbas: Hilal Ibn Umayyah accused his wife of committing adultery with Sharik Ibn Sahma and filed the case before The Prophet. The Prophet "Allah's blessing and peace be upon him" said (to Hilal): "Either you bring forth a proof (four witnesses) or you will receive the legal punishment (lashes) on your back." Hilal said: "By Him, Who sent you with the Truth, I am telling the truth and Allah will reveal to you what will save my back from legal punishment." Then Allah revealed to him: "And for those who launch a charge against their spouses, and have (in support) no evidence but their own, their solitary evidence (can be received) if they bear witness four times (with an oath) by Allah that they are solemnly telling the truth; And the fifth (oath) (should be) that they solemnly invoke the curse of Allah on themselves if they tell a lie. But it would avert the punishment from the wife, if she bears witness four times (with an oath) by Allah, that (her husband) is telling a lie; And the fifth (oath) should be that she solemnly invokes the wrath of Allah on herself if (her accuser) is telling the truth." (An-Nur 6 8) Then The Prophet "Allah's blessing and peace be upon him" left and sent for both. They came, and Hilal stood up and took the oaths (first confirming the claim), while the Prophet "Allah's blessing and peace be upon him" was saying: "Allah knows that one of you is a liar, so will any of you repent?" Then the woman got up and took the oaths and when she was going to take the fifth one, that she solemnly invokes the wrath of Allah on herself if (her accuser) is telling the truth, the people stopped her and said: "It (the fifth oath) will definitely bring Allah's curse on you (if you are guilty)." So she hesitated and shrank back (from taking the oath) so much that we thought that she would withdraw her denial. But then she said: "I will not dishonour my family all through these days," and carried on (the process of taking oaths). The Prophet "Allah's blessing and peace be upon him" then said: "Watch her: if she delivers a black-eyed child with big hips and fat shins then it is Sharik Ibn Sahma's child." Later she delivered a child of such a description. So The Prophet "Allah's blessing and peace be upon him" said: "Had the case not been settled by Allah's Law, I would have punished her severely."

2068- It is narrated on the authority of Abdullah that he said: While we were sitting in the mosque on the night prior to Friday, a man said: "If a man found another man (committing adultery) with his wife and he

ثُمَّ قَالَ النَّبِيُّ ﷺ: «**انْظُرُوهَا. فَإِنْ جَاءَتْ بِهِ أَسْحَمَ، أَدْعَجَ الْعَيْنَيْنِ، عَظِيمَ الأَلْيَتَيْنِ، فَلاَ أُرَاهُ إِلاَّ قَدْ صَدَقَ عَلَيْهَا. وَإِنْ جَاءَتْ بِهِ أُحَيْمِرَ كَأَنَّهُ وَحَرَةٌ، فَلاَ أُرَاهُ إِلاَّ كَاذِباً**» قَالَ، فَجَاءَتْ بِهِ عَلَى النَّعْتِ الْمَكْرُوهِ.

2067 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ. قَالَ: أَنْبَأَنَا هِشَامُ بْنُ حَسَّانَ. حَدَّثَنَا عِكْرِمَةُ عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ هِلاَلَ بْنَ أُمَيَّةَ قَذَفَ امْرَأَتَهُ عِنْدَ النَّبِيِّ ﷺ بِشَرِيكِ ابْنِ سَحْمَاءَ. فَقَالَ النَّبِيُّ ﷺ: «**الْبَيِّنَةَ أَوْ حَدٌّ فِي ظَهْرِكَ**» فَقَالَ هِلاَلُ بْنُ أُمَيَّةَ: وَالَّذِي بَعَثَكَ بِالْحَقِّ إِنِّي لَصَادِقٌ. وَلَيُنْزِلَنَّ اللَّهُ فِي أَمْرِي مَا يُبَرِّئُ ظَهْرِي. قَالَ، فَنَزَلَتْ: ﴿وَالَّذِينَ يَرْمُونَ أَزْوَاجَهُمْ وَلَمْ يَكُن لَّهُمْ شُهَدَاءُ إِلَّا أَنفُسُهُمْ﴾ حَتَّى بَلَغَ: ﴿وَالْخَامِسَةَ أَنَّ غَضَبَ اللَّهِ عَلَيْهَا إِن كَانَ مِنَ الصَّادِقِينَ﴾ فَانْصَرَفَ النَّبِيُّ ﷺ. فَأَرْسَلَ إِلَيْهِمَا فَجَاءَا. فَقَامَ هِلاَلُ بْنُ أُمَيَّةَ فَشَهِدَ، وَالنَّبِيُّ ﷺ يَقُولُ: «**إِنَّ اللَّهَ يَعْلَمُ أَنَّ أَحَدَكُمَا كَاذِبٌ. فَهَلْ مِنْ تَائِبٍ؟**» ثُمَّ قَامَتْ فَشَهِدَتْ. فَلَمَّا كَانَ عِنْدَ الْخَامِسَةِ: ﴿أَنَّ غَضَبَ اللَّهِ عَلَيْهَا إِن كَانَ مِنَ الصَّادِقِينَ﴾ [النور: 6] قَالُوا لَهَا: إِنَّهَا لَمُوجِبَةٌ.

قَالَ ابْنُ عَبَّاسٍ: فَتَلَكَّأَتْ وَنَكَصَتْ. حَتَّى ظَنَنَّا أَنَّهَا سَتَرْجِعُ. فَقَالَتْ: وَاللَّهِ لاَ أَفْضَحُ قَوْمِي سَائِرَ الْيَوْمِ. فَقَالَ النَّبِيُّ ﷺ: «**انْظُرُوهَا. فَإِنْ جَاءَتْ بِهِ أَكْحَلَ الْعَيْنَيْنِ، سَابِغَ الأَلْيَتَيْنِ، خَدَلَّجَ السَّاقَيْنِ، فَهُوَ لِشَرِيكِ ابْنِ سَحْمَاءَ**». فَجَاءَتْ بِهِ كَذٰلِكَ. فَقَالَ النَّبِيُّ ﷺ: «**لَوْلاَ مَا مَضَى مِنْ كِتَابِ اللَّهِ لَكَانَ لِي وَلَهَا شَأْنٌ**».

2068 ـ **حدّثنا** أَبُو بَكْرِ بْنُ خَلاَّدٍ الْبَاهِلِيُّ. وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ بْنِ حَبِيبٍ. قَالاَ: حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: كُنَّا فِي الْمَسْجِدِ لَيْلَةَ الْجُمُعَةِ. فَقَالَ رَجُلٌ: لَوْ أَنَّ رَجُلاً وَجَدَ مَعَ امْرَأَتِهِ رَجُلاً فَقَتَلَهُ قَتَلْتُمُوهُ. وَإِنْ تَكَلَّمَ جَلَدْتُمُوهُ.

killed him, you would kill him (in implementation of the law of equality); and if he spoke (that his wife committed adultery) you would lash him (in implementation of the legal punishment of false charge against women): by Allah: I'm going to make a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him"." He made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon Allah revealed the Holy Verse of Li'an (being engaged in the measures of invoking Allah's curse upon the liar of the couple when the husband accuses his wife of committing adultery). Afterwards, the man came and launched a charge against his wife (of committing adultery), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" carried out the measures of invoking Allah's Curse against the liar of both. He said: "Perhaps, she would deliver a black child." Accordingly, she delivered a child of black complexion and curly hair.

2069- It is narrated on the authority of Ibn Umar that a man was engaged with his wife in invoking Allah's Curse upon the liar of both (when he launched a charge against her of committing adultery), and he denied the would-be child's ancestry and belonging to him, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" parted them, and joined the child to the woman.

2070- It is narrated on the authority of Ibn Abbas that he said: A man from the Ansar got married to a woman from Ajlan and after he had consummated marriage and spent the night with her, he came to claim in the morning that he found her as deflowered. Her case was filed before the Messenger of Allah "Allah's blessing and peace be upon him", who summoned the woman and asked her, and she said: "Nay! I was virgin." The Prophet "Allah's blessing and peace be upon him" carried out the measures of having them engaged in invoking Allah's Curse upon the liar of both, and (parted them and) gave her the dower.

2071- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that Allah's Apostle "Allah's blessing and peace be upon him" said: "There are four (types of) women, between whom (and their husbands in case they accuse them of committing adultery) the measures of invoking Allah's Curse upon the liar of both should not be carried out: a Christian woman who is the wife of a Muslim; a Jewess who is the wife of a Muslim; a free woman who is the wife of a slave; and a slave-girl who is the wife of a free man."

واللَّهِ لأَذْكُرَنَّ ذٰلِكَ لِلنَّبِيِّ ﷺ. فَذَكَرَهُ لِلنَّبِيِّ ﷺ. فَأَنْزَلَ اللَّهُ آيَاتِ اللِّعَانِ. ثُمَّ جَاءَ الرَّجُلُ بَعْدَ ذٰلِكَ يَقْذِفُ امْرَأَتَهُ. فَلاَعَنَ النَّبِيُّ ﷺ بَيْنَهُمَا. وَقَالَ: «**عَسَىٰ أَنْ تَجِيءَ بِهِ أَسْوَدَ**» فَجَاءَتْ بِهِ أَسْوَدَ، جَعْداً.

2069 ـ حدّثنا أَحْمَدُ بْنُ سِنَانٍ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ، عَنْ مَالِكِ بْنِ أَنَسٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَجُلاً لاَعَنَ امْرَأَتَهُ وَانْتَفَى مِنْ وَلَدِهَا. فَفَرَّقَ رَسُولُ اللَّهِ ﷺ بَيْنَهُمَا. وَأَلْحَقَ الْوَلَدَ بِالْمَرْأَةِ.

2070 ـ حدّثنا عَلِيُّ بْنُ سَلَمَةَ النَّيْسَابُورِيُّ. حَدَّثَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ بْنِ سَعْدٍ. حَدَّثَنَا أَبِي عَنِ ابْنِ إِسْحَاقَ. قَالَ: ذَكَرَ طَلْحَةُ بْنُ نَافِعٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: تَزَوَّجَ رَجُلٌ مِنَ الأَنْصَارِ امْرَأَةً مِنْ بَلْعِجْلاَنَ. فَدَخَلَ بِهَا. فَبَاتَ عِنْدَهَا. فَلَمَّا أَصْبَحَ قَالَ: مَا وَجَدْتُهَا عَذْرَاءَ. فَرُفِعَ شَأْنُهَا إِلَى النَّبِيِّ ﷺ. فَدَعَا الْجَارِيَةَ فَسَأَلَهَا. فَقَالَتْ: بَلَىٰ. قَدْ كُنْتُ عَذْرَاءَ. فَأَمَرَ بِهِمَا فَتَلاَعَنَا. وَأَعْطَاهَا الْمَهْرَ.

2071 ـ حدّثنا مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا حَيْوَةُ بْنُ شُرَيْحٍ الْحَضْرَمِيُّ، عَنْ ضَمْرَةَ بْنِ رَبِيعَةَ، عَنِ ابْنِ عَطَاءٍ، عَنْ أَبِيهِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**أَرْبَعٌ مِنَ النِّسَاءِ لاَ مُلاَعَنَةَ بَيْنَهُنَّ: النَّصْرَانِيَّةُ تَحْتَ الْمُسْلِمِ. وَالْيَهُودِيَّةُ تَحْتَ الْمُسْلِمِ. وَالْحُرَّةُ تَحْتَ الْمَمْلُوكِ. وَالْمَمْلُوكَةُ تَحْتَ الْحُرِّ**».

[28] Forbidding What Is Lawful For Oneself

2072- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" took an oath to keep away from his wives (for a month); and he made (them) unlawful for him (during that month); and he further made unlawful what was lawful for him (when he forbade Mariyyah, his Coptic slave-girl to him by an oath; and then he made lawful what became unlawful for him by such an oath when he approached her); and he made expiation (to dissolve) the oath.

2073- It is narrated on the authority of Ibn Abbas that he said as to (suspend) forbidding what is lawful for one, is (to make expiation like that of) an oath. He used to say: "No doubt, you have in the Messenger of Allah "Allah's blessing and peace be upon him" a beautiful pattern (to follow)."

[29] Giving The Freedom Of Choice To The Slave-Girl When She Is Emancipated (Whether To Stay With Her Slave Husband Or Leave Him)

2074- It is narrated on the authority of A'ishah that she emancipated Barirah, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" gave her the freedom of choice (whether to remain with her husband or to leave him; and she chose to leave him); and her husband was a (slave and he was manumitted and became a) free man.

2075- It is narrated on the authority of Ibn Abbas: Barirah's husband was a slave called Mughith, as if I am seeing him now, going behind Barirah and weeping with his tears flowing on his cheeks. The Prophet "Allah's blessing and peace be upon him" said to Abbas: "O Abbas! Are you not astonished at the love of Mughith for Barirah and the hatred of Barirah for Mughith?" The Prophet "Allah's blessing and peace be upon him" then said to Barirah: "Why Don't you return to him? He is the father of your child!" She said: "O Allah's Apostle! Do you order me to do so?" He said: "No, I only intercede for him." She said: "I am not in need of him."

2076- It is narrated on the authority of A'ishah: Three traditions were set for Barirah: When Barirah was manumitted she was given the option (whether to remain with her slave husband). Her husband was a slave. When they gave her in charity, she gave out of that as a gift to the Messenger of Allah "Allah's blessing and peace be upon him", who said: "It is an object of charity for her, and a present for us." The Messenger of Allah "Allah's blessing and peace be upon him" said: "The allegiance (of the slave) is for the manumitter."

28 ـ بابُ الحَرَامِ

2072 ـ **حدّثنا** الْحَسَنُ بْنُ قَزْعَةَ. حَدَّثَنَا مَسْلَمَةُ بْنُ عَلْقَمَةَ. حَدَّثَنَا دَاوُدُ بْنُ أَبِي هِنْدٍ، عَنْ عَامِرٍ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: آلَى رَسُولُ اللَّهِ ﷺ مِنْ نِسَائِهِ. وَحَرَّمَ فَجَعَلَ الْحَلاَلَ حَرَاماً. وَجَعَلَ فِي الْيَمِينِ كَفَّارَةً.

2073 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا وَهْبُ بْنُ جَرِيرٍ. حَدَّثَنَا هِشَامٌ الدَّسْتَوَائِيُّ عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ يَعْلَىٰ بْنِ حَكِيمٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ؛ قَالَ: قَالَ ابْنُ عَبَّاسٍ: فِي الْحَرَامِ يَمِينٌ.

وَكَانَ ابْنُ عَبَّاسٍ يَقُولُ: لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ.

29 ـ بابُ خِيَارِ الأَمَةِ إذا أُعْتِقَتْ

2074 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ؛ أَنَّهَا أَعْتَقَتْ بَرِيرَةَ. فَخَيَّرَهَا رَسُولُ اللَّهِ ﷺ. وَكَانَ لَهَا زَوْجٌ حُرٌّ.

2075 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُثَنَّى، وَمُحَمَّدُ بْنُ خَلاَّدٍ الْبَاهِلِيُّ. قَالاَ: حَدَّثَنَا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ. حَدَّثَنَا خَالِدٌ الْحَذَّاءُ عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: كَانَ زَوْجُ بَرِيرَةَ عَبْداً يُقَالُ لَهُ مُغِيثٌ. كَأَنِّي أَنْظُرُ إِلَيْهِ يَطُوفُ خَلْفَهَا وَيَبْكِي. وَدُمُوعُهُ تَسِيلُ عَلَى خَدِّهِ. فَقَالَ النَّبِيُّ ﷺ لِلعَبَّاسِ: «**يَا عَبَّاسُ أَلاَ تَعْجَبُ مِنْ حُبِّ مُغِيثٍ بَرِيرَةَ، وَمِنْ بُغْضِ بَرِيرَةَ مُغِيثاً؟**» فَقَالَ لَهَا النَّبِيُّ ﷺ: «**لَوْ رَاجَعْتِيهِ، فَإِنَّهُ أَبُو وَلَدِكِ**» قَالَتْ: يَا رَسُولَ اللَّهِ تَأْمُرُنِي؟ قَالَ: «**إِنَّمَا أَشْفَعُ**» قَالَتْ: لاَ حَاجَةَ لِي فِيهِ.

2076 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ عَنْ أُسَامَةَ بْنِ زَيْدٍ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ؛ قَالَتْ: مَضَىٰ فِي بَرِيرَةَ ثَلاَثُ سُنَنٍ: خُيِّرَتْ حِينَ أُعْتِقَتْ. وَكَانَ زَوْجُهَا مَمْلُوكاً. وَكَانُوا يَتَصَدَّقُونَ عَلَيْهَا فَتُهْدِي إِلَى النَّبِيِّ ﷺ فَيَقُولُ: «**هُوَ عَلَيْهَا صَدَقَةٌ، وَهُوَ لَنَا هَدِيَّةٌ**» وَقَالَ: «**الْوَلاَءُ لِمَنْ أَعْتَقَ**».

2077- It is narrated on the authority of A'ishah that Barirah was ordered (though being a slave-girl) to have her term of Iddat three monthly courses.

2078- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" gave Barirah the freedom of choice (when she was emancipated whether to remain with her husband or to leave him).

[30] The (Irrevocable) Divorce Of The Slave-Girl And Her Iddat

2079- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The divorce of the slave-girl becomes (irrevocable when it is pronounced) twice, and her (term of) Iddat is of two monthly courses."

2080- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The divorce of the slave-girl becomes (irrevocable with) two pronouncements of divorce, and her (term of) cleanness (from the current marital state to become lawful for being married by others) is of two monthly courses."

[31] The Divorce Of A Slave

2081- It is narrated on the authority of Ibn Abbas that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My master married me to his slave-girl, and then he wanted to separate us." On that the Messenger of Allah "Allah's blessing and peace be upon him" came up the pulpit and said: "O people! What is the matter with anyone of you, who marries his slave to his slave-girl and then intends to part them: No doubt, the (right of) divorce is due to such as (has the claim to) take (the woman) by her chin" (i.e. due to the husband, who has more claim over her).

[32] When One Divorces A Slave-Girl Twice And Then He Buys Her

2082- It is narrated on the authority of Abu Al-Hasan, the freed slave of Banu Nawfal that Ibn Abbas was asked about a slave who divorced his wife (who was a slave-girl) twice, and then he was manumitted: (Is it lawful for him) to remarry her (without her being married to another one)?" He answered in the affirmative. It was said to him: "Upon which (do you rely in that verdict)?" he said: "A similar judgement was passed by the Messenger of Allah "Allah's blessing and peace be upon him"." Abdullah Ibn Al-Mubarak said: Verily, Abu Al-Hasan carried (the burden of that narration as) a heavy rock on his back.

2077 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ؛ قَالَتْ: أُمِرَتْ بَرِيرَةُ أَنْ تَعْتَدَّ بِثَلاَثِ حِيَضٍ.

2078 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ تَوْبَةَ. حَدَّثَنَا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ يَحْيَىٰ بْنِ أَبِي إِسْحَاقَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أُذَيْنَةَ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ خَيَّرَ بَرِيرَةَ.

30 ـ بابٌ في طلاق الأَمَة وعِدَّتِهَا

2079 ـ **حدّثنا** مُحَمَّدُ بْنُ طَرِيفٍ، وَإِبْرَاهِيمُ بْنُ سَعِيدٍ الْجَوْهَرِيُّ. قَالاَ: حَدَّثَنَا عُمَرُ بْنُ شَبِيبٍ الْمُسْلِيُّ، عَنْ عَبْدِ اللَّهِ بْنِ عِيسَىٰ، عَنْ عَطِيَّةَ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**طَلاَقُ الأَمَةِ اثْنَتَانِ، وَعِدَّتُهَا حَيْضَتَانِ**».

2080 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا أَبُو عَاصِمٍ. حَدَّثَنَا ابْنُ جُرَيْجٍ، عَنْ مُظَاهِرِ بْنِ أَسْلَمَ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**طَلاَقُ الأَمَةِ تَطْلِيقَتَانِ. وَقَرْؤُهَا حَيْضَتَانِ**».

قَالَ أَبُو عَاصِمٍ: فَذَكَرْتُهُ لِمُظَاهِرٍ. فَقُلْتُ: حَدَّثَنِي كَمَا حَدَّثَتْ ابْنَ جُرَيْجٍ. فَأَخْبَرَنِي عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**طَلاَقُ الأَمَةِ تَطْلِيقَتَانِ. وَقَرْؤُهَا حَيْضَتَانِ**».

31 ـ بابُ طَلاقِ العَبْدِ

2081 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا يَحْيَىٰ بْنُ عَبْدِ اللَّهِ بْنِ بُكَيْرٍ. حَدَّثَنَا ابْنُ لَهِيعَةَ، عَنْ مُوسَىٰ بْنِ أَيُّوبَ الْغَافِقِيِّ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: أَتَىٰ النَّبِيَّ ﷺ رَجُلٌ فَقَالَ يَا رَسُولَ اللَّهِ إِنَّ سَيِّدِي زَوَّجَنِي أَمَتَهُ، وَهُوَ يُرِيدُ أَنْ يُفَرِّقَ بَيْنِي وَبَيْنَهَا، قَالَ، فَصَعِدَ رَسُولُ اللَّهِ ﷺ الْمِنْبَرَ فَقَالَ: «**يَا أَيُّهَا النَّاسُ مَا بَالُ أَحَدِكُمْ يُزَوِّجُ عَبْدَهُ أَمَتَهُ ثُمَّ يُرِيدُ أَنْ يُفَرِّقَ بَيْنَهُمَا؟ إِنَّمَا الطَّلاَقُ لِمَنْ أَخَذَ بِالسَّاقِ**».

32 ـ بابُ مَنْ طَلَّقَ أَمَةً تَطْلِيقَتَيْنِ ثُمَّ اشْتَرَاهَا

2082 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ زَنْجَوَيْهِ أَبُو بَكْرٍ. حَدَّثَنَا عَبْدُ الرَّزَّاقِ. حَدَّثَنَا مَعْمَرٌ عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ عُمَرَ بْنِ مُعَتِّبٍ، عَنْ أَبِي الْحَسَنِ، مَوْلَى بَنِي نَوْفَلٍ. قَالَ: سُئِلَ ابْنُ عَبَّاسٍ عَنْ عَبْدٍ طَلَّقَ امْرَأَتَهُ تَطْلِيقَتَيْنِ ثُمَّ أُعْتِقَا. يَتَزَوَّجُهَا؟ قَالَ: نَعَمْ. فَقِيلَ لَهُ: عَمَّنْ؟ قَالَ: قَضَىٰ بِذٰلِكَ رَسُولُ اللَّهِ ﷺ.

قَالَ عَبْدُ الرَّزَّاقِ: قَالَ عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ: لَقَدْ تَحَمَّلَ أَبُو الْحَسَنِ هٰذَا صَخْرَةً عَظِيمَةً عَلَى عُنُقِهِ.

[33] The (Term Of) Iddat Of (The Slave-Girl Who Has A Child From Her Master And Thus Becomes) A Child's Mother

2083- It is narrated on the authority of Amr Ibn Al-As that he said: Do not spoil the sunnah of our Prophet Muhammad "Allah's blessing and peace be upon him" for us: the (term of) Iddat of the (slave-girl who gives birth to a child from her master and thus becomes) a child's mother (whose master dies) is of four months and ten days.

[34] The Adornment Is Undesirable For The Woman Whose Husband Dies

2084- It is narrated on the authority of Zainab Bint Umm Salamah that she heard both Umm Salamah and Umm Habibah having said: A woman came to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Allah's Apostle! The husband of my daughter died and she is suffering from an eye disease, can she apply kohl to her eye?" The Messenger of Allah "Allah's blessing and peace be upon him" replied: "In the Pre-Islamic Period of ignorance, a widow among you used to throw a globe of dung after a year had elapsed (following her husband's death). (She should mourn for) just four months and ten days."

[35] Should A Woman Morn For Anyone Else Other Than Her Husband

2085- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for a woman to morn for a dead over three nights, barring her husband (for whom she should morn four months and ten days)."

2086- It is narrated on the authority of Hafsah, the wife of the Prophet "Allah's blessing and peace be upon him" that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for a woman who has faith in Allah and the Last Day (of Judgement) to morn for a dead over three nights, barring her husband (for whom she should morn four months and ten days)."

2087- It is narrated on the authority of Umm Atiyyah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said (to women): "Do not morn for a dead over three nights, except in case of a woman who morns for her (dead) husband four months and ten days, (during which) she should not wear any colourful garment, barring a garment of Asb (very coarse Yemenite cloth), nor should she apply kohl, nor should she apply perfume unless it is at the time of taking bath from menses, even though with a little quantity of Qust or Azfar (two kinds of incense)."

33 ـ بابُ عِدَّةِ أُمِّ الوَلَدِ

2083 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ، عَنْ مَطَرٍ الْوَرَّاقِ، عَنْ رَجَاءِ بْنِ حَيْوَةَ، عَنْ قَبِيصَةَ بْنِ ذُؤَيْبٍ، عَنْ عَمْرِو بْنِ الْعَاصِ؛ قَالَ: لاَ تُفْسِدُوا عَلَيْنَا سُنَّةَ نَبِيِّنَا مُحَمَّدٍ ﷺ. عِدَّةُ أُمِّ الْوَلَدِ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً.

34 ـ بابُ كَرَاهِيَةِ الزِّينَةِ للمُتَوَفَّى عَنْها زَوْجُها

2084 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ حُمَيْدِ بْنِ نَافِعٍ؛ أَنَّهُ سَمِعَ زَيْنَبَ ابْنَةَ أُمِّ سَلَمَةَ تُحَدِّثُ أَنَّهَا سَمِعَتْ أُمَّ سَلَمَةَ وَأُمَّ حَبِيبَةَ تَذْكُرَانِ أَنَّ امْرَأَةً أَتَتِ النَّبِيَّ ﷺ فَقَالَتْ: إِنَّ ابْنَةً لَهَا تُوُفِّيَ عَنْهَا زَوْجُهَا. فَاشْتَكَتْ عَيْنُهَا. فَهِيَ تُرِيدُ أَنْ تَكْحَلُهَا. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«قَدْ كَانَتْ إِحْدَاكُنَّ تَرْمِي بِالْبَعْرَةِ عِنْدَ رَأْسِ الْحَوْلِ. وَإِنَّمَا هِيَ أَرْبَعَةُ أَشْهُرٍ وَعَشْراً»**.

35 ـ بابٌ هَلْ تُحِدُّ المَرْأَةُ على غَيْرِ زَوْجِهَا؟

2085 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ يَحِلُّ لامْرَأَةٍ أَنْ تُحِدَّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثٍ. إِلاَّ عَلَى زَوْجٍ»**.

2086 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا أَبُو الأَحْوَصِ عَنْ يَحْيَىٰ بْنِ سَعِيدٍ، عَنْ نَافِعٍ، عَنْ صَفِيَّةَ بِنْتِ أَبِي عُبَيْدٍ، عَنْ حَفْصَةَ زَوْجِ النَّبِيِّ ﷺ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ يَحِلُّ لامْرَأَةٍ تُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ أَنْ تُحِدَّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثٍ. إِلاَّ عَلَى زَوْجٍ»**.

2087 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ هِشَامِ بْنِ حَسَّانٍ، عَنْ حَفْصَةَ، عَنْ أُمِّ عَطِيَّةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تُحِدُّ عَلَى مَيِّتٍ فَوْقَ ثَلاَثٍ، إِلاَّ امْرَأَةٌ تُحِدُّ عَلَى زَوْجِهَا أَرْبَعَةَ أَشْهُرٍ وَعَشْراً. وَلاَ تَلْبَسُ ثَوْباً مَصْبُوغاً، إِلاَّ ثَوْبَ عَصْبٍ. وَلاَ تَكْتَحِلُ وَلاَ تَطَيَّبُ إِلاَّ عِنْدَ أَدْنَىٰ طُهْرِهَا، بِنُبْذَةٍ مِنْ قُسْطٍ أَوْ أَظْفَارٍ»**.

[36] When A Man Is Ordered By His Father To Divorce His Wife

2088- It is narrated on the authority of Ibn Umar that he said: I had a wife, for whom I had love, though my father had aversion towards her. Umar made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", who commanded me to divorce her; and I did accordingly.

2089- It is narrated on the authority of Abu Abd Ar-Rahman that a man was ordered by his father or his mother, Shu'bah (a sub-narrator) was in doubt, to divorce his wife, thereupon (to make it difficult upon himself, so that his father or mother would retract) he made it binding upon himself to manumit one hundred (slaves if he divorced his wife). He went to Abu Ad-Darda' (to seek his religious verdict), and behold! He was offering the Duha prayer, which he was prolonging. Then, he offered (the sunnah) prayer between Zhuhr an Asr (and after he had finished) the man asked him, thereupon Abu Ad-Darda' said: "Fulfill your vow and be dutiful (and kind) to your parents." Abu Ad-Darda' further said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "One's (kindness to his) father (leads one to) the best of the gates of the Garden: so, it is up to You to guard strictly your parents (by being kind and dutiful to them), or leave that."

36 ـ بابُ الرَّجُلِ يَأْمُرُهُ أَبُوهُ بطَلاقِ امْرَأَتِهِ

2088 ـ حدّثنا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ الْقَطَّانُ، وَعُثْمَانُ بْنُ عُمَرَ. قَالاَ: حَدَّثَنَا ابْنُ أَبِي ذِئْبٍ، عَنْ خَالِهِ الْحَرِثِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ حَمْزَةَ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ قَالَ: كَانَتْ تَحْتِي امْرَأَةٌ. وَكُنْتُ أُحِبُّهَا. وَكَانَ أَبِي يُبْغِضُهَا. فَذَكَرَ ذٰلِكَ عُمَرُ لِلنَّبِيِّ ﷺ. فَأَمَرَنِي أَنْ أُطَلِّقَهَا. فَطَلَّقْتُهَا.

2089 ـ حدّثنا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ أَبِي عَبْدِ الرَّحْمٰنِ؛ أَنَّ رَجُلاً أَمَرَهُ أَبُوهُ أَوْ أُمُّهُ (شَكَّ شُعْبَةُ) أَنْ يُطَلِّقَ امْرَأَتَهُ. فَجَعَلَ عَلَيْهِ مِائَةَ مُحَرَّرٍ. فَأَتَىٰ أَبَا الدَّرْدَاءِ. فَإِذَا هُوَ يُصَلِّي الضُّحَىٰ وَيُطِيلُهَا. وَصَلَّى مَا بَيْنَ الظُّهْرِ وَالْعَصْرِ. فَسَأَلَهُ. فَقَالَ أَبُو الدَّرْدَاءِ: أَوْفِ بِنَذْرِكَ، وَبَرَّ وَالِدَيْكَ.

وَقَالَ أَبُو الدَّرْدَاءِ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الْوَالِدُ أَوْسَطُ أَبْوَابِ الْجَنَّةِ، فَحَافِظْ عَلَى وَالِدَيْكَ، أَوِ اتْرُكْ**».

(11) THE BOOK OF EXPIATIONS

[1] The Oath Of The Messenger Of Allah

2090- It is narrated on the authority of Rifa'ah Al-Juhani that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" took an oath, he would say: "By Him, in Whose Hand is the soul of Muhammad."

2091- It is narrated on the authority of Rifa'ah Ibn Arabah Al-Juhani that he said: The (statement of) oath with which the Messenger of Allah "Allah's blessing and peace be upon him" used to swear was, and I bear testimony to that before Allah: "By Him, in Whose Hand is my soul."

2092- It is narrated on the authority of Salim from his father that he said: The (statement of) oath with which the Messenger of Allah "Allah's blessing and peace be upon him" used to swear most frequently was: "No, by Him, Who turns the hearts!"

2093- It is narrated on the authority of Abu Hurairah that he said: The (statement of) oath of the Messenger of Allah "Allah's blessing and peace be upon him" was: "No, and I ask for Allah's Forgiveness (if it is not so)!"

[2] It Is Forbidden To Swear By Anything Else Other Than Allah

2094- It is narrated on the authority of Salim Ibn Abdullah Ibn Umar from his father from his grandfather that once the Messenger of Allah "Allah's blessing and peace be upon him" heard him having sworn by his father, thereupon he said: "No doubt, Allah forbids you to take oath by your fathers." Umar said: (Henceforth) I've never sworn by that in my name nor (have I mention it) on behalf of others.

2095- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not swear by the tyrants (i.e. the idols), nor by your fathers."

2096- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath in which he says (even though unintentionally): "By Lati and Uzza", let him say: "There is no god (to be worshipped) but Allah.""

2097- It is narrated on the authority of Sa'd that he said: Once, I took an oath by Lati and Uzza (even though unintentionally), thereupon the

11 ـ كِتَابُ الكَفَّارَاتِ

1 ـ بابُ يَمِينِ رَسُولِ الله ﷺ الَّتِي كَانَ يَحْلِفُ بها

2090 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ مُصْعَبٍ عَنِ الأَوْزَاعِيِّ، عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ هِلاَلِ بْنِ أَبِي مَيْمُونَةَ، عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ رِفَاعَةَ الْجُهَنِيِّ؛ قَالَ: كَانَ النَّبِيُّ ﷺ إِذَا حَلَفَ قَالَ: «**وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ**».

2091 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عَبْدُ الْمَلِكِ بْنُ مُحَمَّدٍ الصَّنْعَانِيُّ. حَدَّثَنَا الأَوْزَاعِيُّ عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ هِلاَلِ بْنِ أَبِي مَيْمُونَةَ، عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ رِفَاعَةَ بْنِ عَرَابَةَ الْجُهَنِيِّ؛ قَالَ: كَانَتْ يَمِينُ رَسُولِ اللَّهِ ﷺ، الَّتِي يَحْلِفُ بِهَا، أَشْهَدُ عِنْدَ اللَّهِ «**وَالَّذِي نَفْسِي بِيَدِهِ**».

2092 ـ **حدّثنا** أَبُو إِسْحَاقَ الشَّافِعِيُّ إِبْرَاهِيمُ بْنُ مُحَمَّدِ بْنِ الْعَبَّاسِ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ رَجَاءٍ الْمَكِّيُّ، عَنْ عَبَّادِ بْنِ إِسْحَاقَ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمٍ، عَنْ أَبِيهِ؛ قَالَ: كَانَتْ أَكْثَرُ أَيْمَانِ رَسُولِ اللَّهِ ﷺ: «**لاَ. وَمُصَرِّفِ الْقُلُوبِ**».

2093 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَمَّادُ بْنُ خَالِدٍ. ح وَحَدَّثَنَا يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا مَعْنُ بْنُ عِيسَىٰ، جَمِيعاً عَنْ مُحَمَّدِ بْنِ هِلاَلٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: كَانَتْ يَمِينُ رَسُولِ اللَّهِ ﷺ: «**لاَ. وَأَسْتَغْفِرُ اللَّهَ**».

2 ـ بابُ النَّهْيِ أَنْ يَحْلِفَ بِغَيْرِ الله

2094 ـ **حدّثنا** مُحَمَّدُ بْنُ أَبِي عُمَرَ الْعَدَنِيُّ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ أَبِيهِ، عَنْ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ سَمِعَهُ يَحْلِفُ بِأَبِيهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ اللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ**» قَالَ: عُمَرُ: فَمَا حَلَفْتُ بِهَا ذَاكِراً وَلاَ آثِراً.

2095 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الأَعْلَىٰ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ: قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَحْلِفُوا بِالطَّوَاغِي، وَلاَ بِآبَائِكُمْ**».

2096 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا عُمَرُ بْنُ عَبْدِ الْوَاحِدِ، عَنِ الأَوْزَاعِيِّ، عَنِ الزُّهْرِيِّ، عَنْ حُمَيْدٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَنْ حَلَفَ، فَقَالَ فِي يَمِينِهِ: بِاللاَّتِ وَالْعُزَّى، فَلْيَقُلْ: لاَ إِلٰهَ إِلاَّ اللَّهُ**».

2097 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ وَالْحَسَنُ بْنُ عَلِيٍّ الْخَلاَّلُ. قَالاَ: حَدَّثَنَا يَحْيَىٰ بْنُ آدَمَ عَنْ إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنْ مُصْعَبِ بْنِ سَعْدٍ، عَنْ سَعْدٍ؛ قَالَ: حَلَفْتُ بِاللاَّتِ وَالْعُزَّى. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**قُلْ: لاَ إِلٰهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ. ثُمَّ انْفِثْ عَنْ يَسَارِكَ ثَلاَثاً. وَتَعَوَّذْ. وَلاَ تَعُدْ**».

Messenger of Allah "Allah's blessing and peace be upon him" said to me: "You should say: "There is no god (to be worshipped) but Allah, the One and Only, other than Whom there is no god", then spit on your left, seek refuge (with Allah from Satan), and do not return to that once again."

[3] When One Swears By A Religion Other Than Islam

2098- It is narrated on the authority of Thabit Ibn Ad-Dahhak that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who swears by a religion other than Islam, and he is telling a lie intentionally, he is the same as he says."

2099- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" heard one saying: "I'm then a Jew (if this is not so)!" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It (Judaism) has been affirmed to him."

2100- It is narrated on the authority of Abdullah Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When one says: "I'm free from Islam (if this is not as what I say)", then, if he tells a lie, he is the same as he says (describing himself); and if he tells the truth, he will never return to Islam as free from faults (and sins)."

[4] If One Swears By Allah (To Affirm Or Refute Anything) For Anyone, Let Him Accept That

2101- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" heard someone having sworn by his father, thereupon he said: "Do not swear by your fathers: whoever takes oath by Allah, let him be true (to his oath); and whoever swears by Allah (to affirm or refute anything) for anyone, let him accept that; and whoever is not satisfied with Allah, he is far from (the nearness of) Allah."

2102- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Jesus, son of Mary, saw a man committing theft, thereupon he asked him: "Have you committed theft?" he said: "No, by Him, other than Whom there is no god." On that Jesus said: "I believe in Allah (and trust such as takes oath by Him), and give lie to my sight."

3 ـ بابُ مَنْ حَلَفَ بِمِلَّةٍ غَيْرِ الإِسْلامِ

2098 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ خَالِدٍ الْحَذَّاءِ، عَنْ أَبِي قِلابَةَ، عَنْ ثَابِتِ بْنِ الضَّحَّاكِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ بِمِلَّةٍ سِوَى الإِسْلامِ كَاذِباً مُتَعَمِّداً، فَهُوَ كَمَا قَالَ**».

2099 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا بَقِيَّةُ عَنْ عَبْدِ اللَّهِ بْنِ مُحَرَّرٍ، عَنْ قَتَادَةَ، عَنْ أَنَسٍ؛ قَالَ: سَمِعَ النَّبِيُّ ﷺ رَجُلاً يَقُولُ: أَنَا، إِذاً، لَيَهُودِيٌّ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**وَجَبَتْ**».

2100 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ سَمُرَةَ. حَدَّثَنَا عَمْرُو بْنُ رَافِعٍ الْبَجَلِيُّ. حَدَّثَنَا الْفَضْلُ بْنُ مُوسَى، عَنِ الْحُسَيْنِ بْنِ وَاقِدٍ، عَنْ عَبْدِ اللَّهِ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ قَالَ: إِنِّي بَرِيءٌ مِنَ الإِسْلامِ، فَإِنْ كَانَ كَاذِباً فَهُوَ كَمَا قَالَ. وَإِنْ كَانَ صَادِقاً لَمْ يَعُدْ إِلَيْهِ الإِسْلامُ سَالِماً**».

4 ـ باب مَنْ حُلِف له بالله فَلْيَرْضَ

2101 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ سَمُرَةَ. حَدَّثَنَا أَسْبَاطُ بْنُ مُحَمَّدٍ، عَنْ مُحَمَّدِ بْنِ عَجْلانَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: سَمِعَ النَّبِيُّ ﷺ رَجُلاً يَحْلِفُ بِأَبِيهِ فَقَالَ: «**لاَ تَحْلِفُوا بِآبَائِكُمْ. مَنْ حَلَفَ بِاللَّهِ فَلْيَصْدُقْ. وَمَنْ حُلِفَ لَهُ بِاللَّهِ فَلْيَرْضَ. وَمَنْ لَمْ يَرْضَ بِاللَّهِ، فَلَيْسَ مِنَ اللَّهِ**».

2102 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ أَبِي بَكْرِ بْنِ يَحْيَىٰ بْنِ النَّضْرِ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**رَأَى عِيسَى ابْنُ مَرْيَمَ رَجُلاً يَسْرِقُ. فَقَالَ: أَسَرَقْتَ؟ قَالَ: لاَ. وَالَّذِي لاَ إِلَهَ إِلاَّ هُوَ. فَقَالَ عِيسَى: آمَنْتُ بِاللَّهِ، وَكَذَّبْتُ بَصَرِي**».

[5] The Oath Is Either (A Cause Of) Sin Or Showing Regret

2103- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The oath might be (a cause of) sin (when it is broken, for which expiation should be made) or showing regret (in case it is dissolved or expiation is made for it)."

[6] Making Exclusion In The Oath

2104- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever takes an oath in which he says: "Allah Willing", will get benefit from his exclusion (he makes in case he fails to fulfill his oath)."

2105- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever swears (by Allah) and makes exclusion (in his oath): then, he could retract (from it) if he so likes, or leave if he so likes, without being sinful of breaking (his oath)."

2106- It is narrated on the authority of Ibn Umar relating it (from the Prophet): "Whoever takes an oath in which he makes exclusion (by saying Allah Willing), he will be not sinful (even though he breaks it)."

[7] When One Takes An Oath For Something, And Sees Another Much Better Than It

2107- It is narrated on the authority of Abu Musa that he said: I went to The Prophet "Allah's blessing and peace be upon him" along with a group of The Ash'arites, asking him to provide us with means of transportation (in order to be able to take part in the holy battle of Tabuk). He said: "By Allah, I will not provide you with any means of conveyance; and I have nothing to make you ride on." We stayed as long as Allah wished. Then some camels (as booty) were brought to The Messenger of Allah "Allah's blessing and peace be upon him" and he ordered that we should be given three camels with white humps. When we set out we said to one another: "We came to The Prophet "Allah's blessing and peace be upon him" and asked him to provide us with means of conveyance, but he took an oath not to provide us with any means of conveyance. Let's go (and remind) him." We returned and told him. He replied: "By Allah! I have not provided you with means of conveyance, but Allah has provided you with that, and by Allah, Allah willing, if I take an oath to do something, and later on I find out that it is more beneficial to do something different, I will do

5 ـ بابُ اليَمِينُ حِنْثٌ أو نَدَمٌ

2103 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ بَشَّارِ بْنِ كِدَامٍ، عَنْ مُحَمَّدِ بْنِ زَيْدٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّمَا الْحَلِفُ حِنْثٌ أَوْ نَدَمٌ**».

6 ـ بابُ الاسْتِثْنَاءِ فِي اليَمِينِ

2104 ـ **حدّثنا** الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ. حَدَّثَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا مَعْمَرٌ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ فَقَالَ: إِنْ شَاءَ اللَّهُ، فَلَهُ ثُنْيَاهُ**».

2105 ـ **حدّثنا** مُحَمَّدُ بْنُ زِيَادٍ. حَدَّثَنَا عَبْدُ الْوَارِثِ بْنُ سَعِيدٍ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ وَاسْتَثْنَى، إِنْ شَاءَ رَجَعَ، وَإِنْ شَاءَ تَرَكَ، غَيْرُ حَانِثٍ**».

2106 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ الزُّهْرِيُّ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رِوَايَةً؛ قَالَ: «**مَنْ حَلَفَ وَاسْتَثْنَى، فَلَنْ يَحْنَثَ**».

7 ـ بابُ مَنْ حَلَفَ على يَمِينٍ فَرَأَى غَيْرَهَا خَيْراً منها

2107 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا حَمَّادُ بْنُ زَيْدٍ. حَدَّثَنَا غَيْلاَنُ بْنُ جَرِيرٍ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِيهِ أَبِي مُوسَى؛ قَالَ: أَتَيْتُ رَسُولَ اللَّهِ ﷺ فِي رَهْطٍ مِنَ الأَشْعَرِيِّينَ نَسْتَحْمِلُهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**وَاللَّهِ مَا أَحْمِلُكُمْ. وَمَا عِنْدِي مَا أَحْمِلُكُمْ عَلَيْهِ**» قَالَ، فَلَبِثْنَا مَا شَاءَ اللَّهُ. ثُمَّ أُتِيَ بِإِبِلٍ. فَأَمَرَ لَنَا بِثَلاَثَةِ إِبِلٍ ذَوْدٍ غُرِّ الذُّرَى. فَلَمَّا انْطَلَقْنَا قَالَ بَعْضُنَا لِبَعْضٍ: أَتَيْنَا رَسُولَ اللَّهِ ﷺ نَسْتَحْمِلُهُ فَحَلَفَ أَلاَّ يَحْمِلَنَا. ثُمَّ حَمَلَنَا. ارْجِعُوا بِنَا. فَأَتَيْنَاهُ، فَقُلْنَا: يَا رَسُولَ اللَّهِ إِنَّا أَتَيْنَاكَ نَسْتَحْمِلُكَ فَحَلَفْتَ أَنْ لاَ تَحْمِلَنَا. ثُمَّ حَمَلْتَنَا. فَقَالَ: «**وَاللَّهِ مَا أَنَا حَمَلْتُكُمْ. بَلِ اللَّهُ حَمَلَكُمْ. إِنِّي، وَاللَّهِ إِنْ شَاءَ اللَّهُ، لاَ أَحْلِفُ عَلَى يَمِينٍ فَأَرَى غَيْرَهَا خَيْراً مِنْهَا إِلاَّ كَفَّرْتُ عَنْ يَمِينِي وَأَتَيْتُ الَّذِي هُوَ خَيْرٌ**» أَوْ قَالَ: «**أَتَيْتُ الَّذِي هُوَ خَيْرٌ وَكَفَّرْتُ عَنْ يَمِينِي**».

the thing which is better, and give expiation for my oath (or he said: I will give expiation for my oath, and do the thing which is better)."

2108- It is narrated on the authority of Adi Ibn Hatim that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever takes an oath (for something) and then he finds out something much better than it, let him do that which is better, and make expiation for his oath."

2109- It is narrated on the authority of Abu Al-Ahwas: Awf Ibn Malik Al-Jushmi that he said: I said: "O Messenger of Allah! (Sometimes) my paternal cousin comes to me, and I take oath not to give him, nor to keep good relation with him (What should I do to give him and keep good relation with him?)" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Make expiation for your oath."

[8] What About Such As Says That To Make Expiation For The Oath Is To Leave It

2110- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath for something therewith to sever the relation with his kith and kin, or do what is unfitting: it is fulfilled if he does not carry on that (for which he takes such an oath, with no necessity for making expiation)."

2111- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath for something, and later on he finds out that it is better to do something different, let him leave (his oath and do what is better), for leaving it acts as its expiation."

[9] How Much Food Should One Serve To Make Expiation For His Oath

2112- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" made expiation (for his oath) with a Sa' of dates and commanded the people to do so, and whoever could not find that, let it be half a Sa' of wheat.

[10] On A Scale Of The Average For The Food Of Your Families

2113- It is narrated on the authority of Ibn Abbas that he said: A man used to sustain his family with food indicative of ampleness and abundance and another with food indicative of hardship and privation, thereupon it was

2108 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَعَبْدُ اللَّهِ بْنُ عَامِرِ بْنِ زُرَارَةَ. قَالاَ: حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ عَبْدِ الْعَزِيزِ بْنِ رُفَيْعٍ، عَنْ تَمِيمِ بْنِ طَرَفَةَ، عَنْ عَدِيِّ بْنِ حَاتِمٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ حَلَفَ عَلَى يَمِينٍ فَرَأَى غَيْرَهَا خَيْراً مِنْهَا فَلْيَأْتِ الَّذِي هُوَ خَيْرٌ وَلْيُكَفِّرْ عَنْ يَمِينِهِ»**.

2109 ـ **حدّثنا** مُحَمَّدُ بْنُ أَبِي عُمَرَ الْعَدَنِيُّ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ. حَدَّثَنَا أَبُو الزَّعْرَاءِ عَمْرُو بْنُ عَمْرٍو، عَنْ عَمِّهِ أَبِي الأَحْوَصِ عَوْفِ بْنِ مَالِكٍ الْجُشَمِيِّ، عَنْ أَبِيهِ؛ قَالَ: قُلْتُ، يَا رَسُولَ اللَّهِ يَأْتِينِي ابْنُ عَمِّي فَأَحْلِفُ أَنْ لاَ أُعْطِيَهُ وَلاَ أَصِلَهُ. قَالَ: **«كَفِّرْ عَنْ يَمِينِكَ»**.

8 ـ بابُ مَنْ قَالَ كَفَّارَتُها تَرْكُها

2110 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ حَارِثَةَ بْنِ أَبِي الرِّجَالِ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ حَلَفَ فِي قَطِيعَةِ رَحِمٍ، أَوْ فِيمَا لاَ يَصْلُحُ، فَبِرُّهُ أَنْ لاَ يَتِمَّ عَلَى ذٰلِكَ»**.

2111 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ عَبْدِ الْمُؤْمِنِ الْوَاسِطِيُّ. حَدَّثَنَا عَوْنُ بْنُ عُمَارَةَ. حَدَّثَنَا رَوْحُ بْنُ الْقَاسِمِ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَنْ حَلَفَ عَلَى يَمِينٍ فَرَأَى غَيْرَهَا خَيْراً مِنْهَا فَلْيَتْرُكْهَا. فَإِنَّ تَرْكَهَا كَفَّارَتُهَا»**.

9 ـ بابٌ كَمْ يُطْعِمُ في كَفَّارَةِ اليَمِينِ؟

2112 ـ **حدّثنا** الْعَبَّاسُ بْنُ يَزِيدَ. حَدَّثَنَا زِيَادُ بْنُ عَبْدِ اللَّهِ الْبَكَّائِيُّ. حَدَّثَنَا عُمَرُ بْنُ عَبْدِ اللَّهِ بْنِ يَعْلَى الثَّقَفِيُّ عَنِ الْمِنْهَالِ بْنِ عَمْرٍو، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: كَفَّرَ رَسُولُ اللَّهِ ﷺ بِصَاعٍ مِنْ تَمْرٍ. وَأَمَرَ النَّاسَ بِذٰلِكَ. فَمَنْ لَمْ يَجِدْ فَنِصْفُ صَاعٍ مِنْ بُرٍّ.

10 ـ باب ﴿مِنْ أَوْسَطِ مَا تُطْعِمُونَ أَهْلِيكُمْ﴾

2113 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ سُلَيْمَانَ بْنِ أَبِي الْمُغِيرَةِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛

revealed: "on a scale of the average for the food of your families." (Al-Ma'idah 89)

[11] What About Such As Obstinately Insists On His Oath

2114- It is narrated on the authority of Abu Hurairah that he said: Abu Al-Qasim (Muhammad, the Messenger of Allah "Allah's blessing and peace be upon him") said: "He, who obstinately insists on (fulfilling) his oath (even though he finds it better to do something different and make expiation for his oath), it becomes more sinful for him in the Sight of Allah than to make the expiation he is commanded to make."

(...) The same is narrated on the authority of Abu Hurairah from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

[12] Fulfilling The Oath Of Such As Takes An Oath

2115- It is narrated on the authority of Al-Bara Ibn Azib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" commanded us to fulfill the oath of such as takes an oath (by carrying on that for which he takes an oath as possible as is within our capacity).

2116- It is narrated on the authority of Abd Ar-Rahman Ibn Safwan or Safwan Ibn Abd Ar-Rahman Al-Qurashi that when it was the day of the conquest of Mecca, he brought his father to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Assign to our father a portion in the migration." The Messenger of Allah "Allah's blessing and peace be upon him" said: "There has no longer been migration (from Mecca to anywhere else, or to Medina from anywhere else afterwards)." He went and came direct to visit Al-Abbas and said: "Have you recognized me?" he answered in the affirmative. He set out wearing a shirt with no upper garment, and said: "O Messenger of Allah! You've recognized so and so, and how good the relation between both us and him is: he brought his father to you so that you would accept from him the pledge of allegiance for migration." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no migration (to be accepted afterwards)." Al-Abbas said: "I swear (by Allah) that you should do." The Messenger of Allah "Allah's blessing and peace be upon him" stretched his hand and touched his hand and said: "I've fulfilled the oath of my paternal uncle, even though there is no migration (to be accepted afterwards)."

قَالَ: كَانَ الرَّجُلُ يَقُوتُ أَهْلَهُ قُوتاً فِيهِ سَعَةٌ. وَكَانَ الرَّجُلُ يَقُوتُ أَهْلَهُ قُوتاً فِيهِ شِدَّةٌ. فَنَزَلَتْ: ﴿مِنْ أَوْسَطِ مَا تُطْعِمُونَ أَهْلِيكُمْ﴾ [المائدة: 89].

11 ـ بابُ النَّهْيِ أَنْ يَسْتَلِجَّ الرَّجُلُ فِي يَمِينِهِ ولا يُكَفِّرُ

2114 ـ **حدّثنا** سُفْيَانُ بْنُ وَكِيعٍ. حَدَّثَنَا مُحَمَّدُ بْنُ حُمَيْدٍ الْمَعْمَرِيُّ، عَنْ مَعْمَرٍ، عَنْ هَمَّامٍ؛ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ أَبُو الْقَاسِمِ ﷺ: **«إِذَا اسْتَلَجَّ أَحَدُكُمْ فِي الْيَمِينِ فَإِنَّهُ آثَمُ لَهُ عِنْدَ اللهِ مِنَ الْكَفَّارَةِ الَّتِي أُمِرَ بِهَا»**.

حدّثنا مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا يَحْيَىٰ بْنُ صَالِحٍ الْوُحَاظِيُّ. حَدَّثَنَا مُعَاوِيَةُ بْنُ سَلاَّمٍ، عَنْ يَحْيَىٰ بْنِ أَبِي كَثِيرٍ، عَنْ عِكْرِمَةَ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ، نَحْوَهُ.

12 ـ بابُ إِبْرَارِ الْمُقْسِمِ

2115 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ، عَنْ عَلِيِّ بْنِ صَالِحٍ، عَنْ أَشْعَثَ بْنِ أَبِي الشَّعْثَاءِ، عَنْ مُعَاوِيَةَ بْنِ سُوَيْدِ بْنِ مُقَرِّنٍ، عَنِ الْبَرَاءِ بْنِ عَازِبٍ؛ قَالَ: أَمَرَنَا رَسُولُ اللَّهِ ﷺ بِإِبْرَارِ الْمُقْسِمِ.

2116 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ يَزِيدَ بْنِ أَبِي زِيَادٍ، عَنْ مُجَاهِدٍ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ صَفْوَانَ، أَوْ عَنْ صَفْوَانَ بْنِ عَبْدِ الرَّحْمٰنِ الْقُرَشِيِّ قَالَ: لَمَّا كَانَ يَوْمُ فَتْحِ مَكَّةَ جَاءَ بِأَبِيهِ. فَقَالَ: يَا رَسُولَ اللَّهِ اجْعَلْ لِأَبِي نَصِيباً مِنَ الْهِجْرَةِ. فَقَالَ: **«إِنَّهُ لاَ هِجْرَةَ»** فَانْطَلَقَ فَدَخَلَ عَلَى الْعَبَّاسِ فَقَالَ: قَدْ عَرَفْتَنِي؟ فَقَالَ: أَجَلْ. فَخَرَجَ الْعَبَّاسُ فِي قَمِيصٍ لَيْسَ عَلَيْهِ رِدَاءٌ فَقَالَ: يَا رَسُولَ اللَّهِ قَدْ عَرَفْتَ فُلاَناً وَالَّذِي بَيْنَنَا وَبَيْنَهُ. وَجَاءَ بِأَبِيهِ لِتُبَايِعَهُ عَلَى الْهِجْرَةِ. فَقَالَ النَّبِيُّ ﷺ: **«إِنَّهُ لاَ هِجْرَةَ»** فَقَالَ الْعَبَّاسُ: أَقْسَمْتُ عَلَيْكَ. فَمَدَّ النَّبِيُّ ﷺ يَدَهُ، فَمَسَّ يَدَهُ. فَقَالَ: **«أَبَرَرْتُ عَمِّي. وَلاَ هِجْرَةَ»**.

حدّثنا مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا الْحَسَنُ بْنُ الرَّبِيعِ، عَنْ عَبْدِ اللَّهِ بْنِ إِدْرِيسَ، عَنْ يَزِيدَ بْنِ أَبِي زِيَادٍ، بِإِسْنَادِهِ، نَحْوَهُ. قَالَ يَزِيدُ بْنُ أَبِي زِيَادٍ: يَعْنِي لاَ هِجْرَةَ مِنْ دَارٍ قَدْ أَسْلَمَ أَهْلُهَا.

(...) The same is narrated on the authority of Yazid Ibn Abu Ziyad through another chain of transmitters. Yazid said: He means there is no migration from a homeland, whose inhabitants have embraced Islam.

[13] It Is Forbidden To Say (In Your Oath): "As Allah And You Will"

2117- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "When anyone of you takes an oath, let not him say: "As Allah and you will"; but let him say: "As Allah wills, and your will (is subject to His)."""

2118- It is narrated on the authority of Hudhaifah Ibn Al-Yaman that a man from amongst the Muslims saw in a dream a man from those of Scripture, who said to him: "How good you (Muslims) are, but for the fact that you are about to say (in your oath): "As Allah and Muhammad will". He made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him" who said: "By Allah! I do not know you say it (otherwise, I would have forbidden you to do so). You might say: "As Allah wills, and Muhammad's will is (subject to His)."""

(...) The same is narrated on the authority of At-Tufail Ibn Sakhbarah, the half-brother of A'ishah from the side of her mother, from the Messenger of Allah "Allah's blessing and peace be upon him", through a different chain of transmitters.

[14] When One Makes Equivocation In His Oath

2119- It is narrated on the authority of Suwaid Ibn Hanzalah that he said: We set out with the intention to go to the Messenger of Allah "Allah's blessing and peace be upon him", and we had Wa'il Ibn Hujr among us, whom an enemy of us seized; and the people became embarrassed to swear (that he was the brother of anyone of them so that the enemy would leave him), thereupon I swore (by Allah) that he was my brother; and he was released. When we came to the Messenger of Allah "Allah's blessing and peace be upon him", and I told him (of the story and) that the people got embarrassed to swear (that he was the brother of anyone of them), and that I took an oath that he was my brother, he said: "You've told the truth: (Any) Muslim (person) is a brother of the Muslim (in the religion of Allah)."

2120- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, the oath (one takes) should be regarded on the basis of the intention of such as asks him to take it."

13 ـ بابُ النَّهْيِ أَنْ يُقَالَ مَا شَاءَ اللهُ وشِئْتَ

2117 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عِيسَى بْنُ يُونُسَ. حَدَّثَنَا الأَجْلَحُ الْكِنْدِيُّ، عَنْ يَزِيدَ بْنِ الأَصَمِّ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا حَلَفَ أَحَدُكُمْ فَلاَ يَقُلْ: مَا شَاءَ اللَّهُ وَشِئْتَ. وَلٰكِنْ لِيَقُلْ: مَا شَاءَ اللَّهُ ثُمَّ شِئْتَ»**.

2118 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ، عَنْ رِبْعِيِّ بْنِ حِرَاشٍ، عَنْ حُذَيْفَةَ بْنِ الْيَمَانِ؛ أَنَّ رَجُلاً مِنَ الْمُسْلِمِينَ رَأَى فِي النَّوْمِ أَنَّهُ لَقِيَ رَجُلاً مِنْ أَهْلِ الْكِتَابِ فَقَالَ: نِعْمَ الْقَوْمُ أَنْتُمْ لَوْلاَ أَنَّكُمْ تُشْرِكُونَ. تَقُولُونَ: مَا شَاءَ اللَّهُ وَشَاءَ مُحَمَّدٌ. وَذَكَرَ ذٰلِكَ لِلنَّبِيِّ ﷺ فَقَالَ: **«أَمَا وَاللَّهِ! إِنْ كُنْتُ لأَعْرِفُهَا لَكُمْ. قُولُوا: مَا شَاءَ اللَّهُ ثُمَّ شَاءَ مُحَمَّدٌ»**.

حدّثنا مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ. حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ عَبْدِ الْمَلِكِ، عَنْ رِبْعِيِّ بْنِ حِرَاشٍ، عَنِ الطُّفَيْلِ بْنِ سَخْبَرَةَ، أَخِي عَائِشَةَ لأُمِّهَا، عَنِ النَّبِيِّ ﷺ، بِنَحْوِهِ.

14 ـ بابُ مَنْ وَرَّى في يَمِينِهِ

2119 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، عَنْ إِسْرَائِيلَ. ح وَحَدَّثَنَا يَحْيَى بْنُ حَكِيمٍ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ مَهْدِيٍّ، عَنْ إِسْرَائِيلَ، عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ الأَعْلَى، عَنْ جَدِّهِ، عَنْ أَبِيهَا سُوَيْدِ بْنِ حَنْظَلَةَ؛ قَالَ: خَرَجْنَا نُرِيدُ رَسُولَ اللَّهِ ﷺ وَمَعَنَا وَائِلُ بْنُ حُجْرٍ. فَأَخَذَهُ عَدُوٌّ لَهُ. فَتَحَرَّجَ النَّاسُ أَنْ يَحْلِفُوا. فَحَلَفْتُ أَنَا أَنَّهُ أَخِي. فَخَلَّى سَبِيلَهُ. فَأَتَيْنَا رَسُولَ اللَّهِ ﷺ. فَأَخْبَرْتُهُ أَنَّ الْقَوْمَ تَحَرَّجُوا أَنْ يَحْلِفُوا وَحَلَفْتُ أَنَا أَنَّهُ أَخِي. فَقَالَ: **«صَدَقْتَ. الْمُسْلِمُ أَخُو الْمُسْلِمِ»**.

2120 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا هُشَيْمٌ، عَنْ عَبَّادِ بْنِ أَبِي صَالِحٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّمَا الْيَمِينُ عَلَى نِيَّةِ الْمُسْتَحْلِفِ»**.

2121- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Your oath should be considered on the basis of that for which your companion confides to you to take it."

[15] It Is Forbidden To Make Vows

2122- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade to make vows (on belief that it will help achieve what is required), and he said: "Verily, with the help of it, something is taken out of (the property of) the niggardly (without which he is not to give it)."

2123- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the vow does not bring anything (of benefit) to mankind except what has been decreed for him, even though the fate overpowers him by bringing what has been decreed for him (whether he would or would not make vow in connection with that); and with the help of this (vow that is made) something is taken out of (the property of) the niggardly, and what was difficult for him (to give) earlier comes to be easy for him (to give); and Allah says: "Spend (in charity and in My Cause) so that I would spend on you.""

[16] What About Making Vow In Disobedience (Of Allah)

2124- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow should be fulfilled in disobedience (of Allah), nor should it be in that which is not in one's possession (or power)."

2125- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow should be fulfilled in disobedience (of Allah), and the expiation one should make for it is the same as that of the oath."

2126- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who vows to obey Allah, let him (fulfill his vow and) obey Him; and he who vows to disobey Allah, let not him (fulfill his vow nor) disobey Him."

[17] When One Makes A Vow Which He Does Not Assign

2127- It is narrated on the authority of Uqbah Ibn Amir Al-Juhani that he said: The Messenger of Allah "Allah's blessing and peace be

2121 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا هُشَيْمٌ. أَنْبَأَنَا عَبْدُ اللَّهِ بْنُ أَبِي صَالِحٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«يَمِينُكَ عَلَى مَا يُصَدِّقُكَ بِهِ صَاحِبُكَ»**.

15 ـ بَابُ النَّهْيِ عَنِ النَّذْرِ

2122 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ عَبْدِ اللَّهِ بْنِ مُرَّةَ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنِ النَّذْرِ. وَقَالَ: **«إِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ اللَّئِيمِ»**.

2123 ـ **حدّثنا** أَحْمَدُ بْنُ يُوسُفَ. حَدَّثَنَا عُبَيْدُ اللَّهِ عَنْ سُفْيَانَ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ النَّذْرَ لاَ يَأْتِي ابْنَ آدَمَ بِشَيْءٍ إِلاَّ مَا قُدِّرَ لَهُ. وَلَكِنْ يَغْلِبُهُ الْقَدَرُ، مَا قُدِّرَ لَهُ. فَيُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ فَيُيَسَّرُ عَلَيْهِ مَا لَمْ يَكُنْ يُيَسَّرُ عَلَيْهِ مِنْ قَبْلِ ذَلِكَ. وَقَدْ قَالَ اللَّهُ: أَنْفِقْ أُنْفِقْ عَلَيْكَ»**.

16 ـ بَابُ النَّذْرِ فِي الْمَعْصِيَةِ

2124 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ. حَدَّثَنَا أَيُّوبُ عَنْ أَبِي قِلاَبَةَ، عَنْ عَمِّهِ، عَنْ عِمْرَانَ بْنِ الْحُصَيْنِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ نَذْرَ فِي مَعْصِيَةٍ. وَلاَ نَذْرَ فِيمَا لاَ يَمْلِكُ ابْنُ آدَمَ»**.

2125 ـ **حدّثنا** أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ الْمِصْرِيُّ أَبُو طَاهِرٍ. حَدَّثَنَا ابْنُ وَهْبٍ. أَنْبَأَنَا يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ نَذْرَ فِي مَعْصِيَةٍ. وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ»**.

2126 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عُبَيْدِ اللَّهِ، عَنْ طَلْحَةَ بْنِ عَبْدِ الْمَلِكِ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعْهُ. وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلاَ يَعْصِهِ»**.

17 ـ بَابُ مَنْ نَذَرَ نَذْراً وَلَمْ يُسَمِّهِ

2127 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ رَافِعٍ، عَنْ خَالِدِ بْنِ يَزِيدَ، عَنْ عُقْبَةَ بْنِ عَامِرٍ الْجُهَنِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ نَذَرَ نَذْراً وَلَمْ يُسَمِّهِ، فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ»**.

upon him" said: "He, who makes a vow which he does not assign, (let him make) expiation for it, the same as that of the oath."

2128- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who makes a vow which he does not assign, (let him leave it, and make) expiation for it, the same as that of the oath; and he, who makes a vow for something that is not within his capacity, (let him leave it and rather make) expiation for it like that of the oath; and he, who makes a vow for something that is within his power, let him fulfill it."

[18] The Fulfillment Of The Vow

2129- It is narrated on the authority of Ibn Umar from Umar Ibn Al-Khattab that Umar said: I made a vow during the pre-Islamic period of ignorance, and after I had embraced Islam, I made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him"; and he ordered me to fulfill my vow.

2130- It is narrated on the authority of Ibn Abbas that a man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I've made a vow to slaughter (something) in Bawanah (a place in the precincts of Mecca)." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Do you have in yourself any tendency towards the pre-Islamic period of ignorance?" he answered in the negative. Allah's Messenger "Allah's blessing and peace be upon him" said: "Then, fulfill your vow."

2131- It is narrated on the authority of Maimunah Bint Kardam Al-Yasariyyah that her father met the Messenger of Allah "Allah's blessing and peace be upon him", and she was riding behind him, and said: "I've vowed to slaughter (something) in Bawanah." The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Is there any idol in it?" he answered in the negative. He said: "Then, fulfill your vow."

(...) The same is narrated on the authority of Maimunah Bint Kardam from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

[19] When One Dies And He Has A Vow Due Upon Him

2132- It is narrated on the authority of Ibn Abbas that Sa'd Ibn Ubadah sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" about a vow his mother made, and she

2128 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عَبْدُ الْمَلِكِ بْنُ مُحَمَّدٍ الصَّنْعَانِيُّ. حَدَّثَنَا خَارِجَةُ بْنُ مُصْعَبٍ عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الأَشَجِّ، عَنْ كُرَيْبٍ، عَنِ ابْنِ عَبَّاسٍ، عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ نَذَرَ نَذْراً وَلَمْ يُسَمِّهِ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ. وَمَنْ نَذَرَ نَذْراً لَمْ يُطِقْهُ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ. وَمَنْ نَذَرَ نَذْراً أَطَاقَهُ فَلْيَفِ بِهِ»**.

18 ـ بَابُ الوَفَاءِ بِالنَّذْرِ

2129 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنْ عُمَرَ بْنِ الْخَطَّابِ قَالَ: نَذَرْتُ نَذْراً فِي الْجَاهِلِيَّةِ. فَسَأَلْتُ النَّبِيَّ ﷺ بَعْدَمَا أَسْلَمْتُ. فَأَمَرَنِي أَنْ أُوفِيَ بِنَذْرِي.

2130 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ وَعَبْدُ اللَّهِ بْنُ إِسْحَاقَ الْجَوْهَرِيُّ. قَالاَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ رَجَاءٍ. أَنْبَأَنَا الْمَسْعُودِيُّ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَجُلاً جَاءَ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي نَذَرْتُ أَنْ أَنْحَرَ بِبُوَانَةَ. فَقَالَ: **«فِي نَفْسِكَ شَيْءٌ مِنْ أَمْرِ الْجَاهِلِيَّةِ؟»** قَالَ: لاَ. قَالَ: **«أَوْفِ بِنَذْرِكَ»**.

2131 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمٰنِ الطَّائِفِيِّ، عَنْ مَيْمُونَةَ بِنْتِ كَرْدَمٍ الْيَسَارِيَّةِ؛ أَنَّ أَبَاهَا لَقِيَ النَّبِيَّ ﷺ وَهِيَ رَدِيفَةٌ لَهُ. فَقَالَ: إِنِّي نَذَرْتُ أَنْ أَنْحَرَ بِبُوَانَةَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«هَلْ بِهَا وَثَنٌ؟»** قَالَ: لاَ. قَالَ: **«أَوْفِ بِنَذْرِكَ»**.

حدّثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا ابْنُ دُكَيْنٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ يَزِيدَ بْنِ مِقْسَمٍ، عَنْ مَيْمُونَةَ بِنْتِ كَرْدَمٍ، عَنِ النَّبِيِّ ﷺ، بِنَحْوِهِ.

19 ـ بَابُ مَنْ مَاتَ وَعَلَيْهِ نَذْرٌ

2132 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ سَعْدَ بْنَ عُبَادَةَ اسْتَفْتَى رَسُولَ اللَّهِ ﷺ فِي نَذْرٍ كَانَ عَلَى أُمِّهِ. تُوُفِّيَتْ وَلَمْ تَقْضِهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«اقْضِهِ عَنْهَا»**.

died before fulfilling it, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Fulfill it on her behalf."

2133- It is narrated on the authority of Jabir Ibn Abdullah that a woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "My mother died, and she had a vow of fasts; and she died before she fulfilled it." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let her heir observe those fasts on her behalf."

[20] When One Vows To Offer Hajj While Walking

2134- It is narrated on the authority of Uqbah Ibn Amir that his sister vowed to walk barefooted, with her head uncovered; and when he made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", he said to him: "Tell her to ride, cover her head, and observe three fasts (to dissolve her vow)."

2135- It is narrated on the authority of Abu Hurairah that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" saw an old man walking (and he was so much tired because of walk that he was supported) between his two sons, thereupon he asked: "What is the matter with that (man)?" his two sons said: "It is a vow (he has made to perform Hajj as walking) O Messenger of Allah." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "You should ride O old man: no doubt, Allah is not in need of (this deed of) you, as well as of your vow."

[21] When One Mixes In His Vow (A Deed Of) Obedience With (Another Of) Disobedience

2136- It is narrated on the authority of Ibn Abbas that he said: While the Messenger of Allah "Allah's blessing and peace be upon him" was in Mecca, he came upon a man standing against the sun, thereupon he asked: "What is the matter (with that man)?" they said: "He has made a vow to observe fast during which he would not seek shade until the night, nor would he speak (to anyone), and rather he would keep standing." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let him speak (to others), seek shade, and sit; and let him complete his fast."

(...) The same is narrated on the authority of Ibn Abbas from the Messenger of Allah "Allah's blessing and peace be upon him" through another chain of transmitters; and Allah knows better.

2133 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا يَحْيَىٰ بْنُ بُكَيْرٍ. حَدَّثَنَا ابْنُ لَهِيعَةَ عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ امْرَأَةً أَتَتْ رَسُولَ اللَّهِ ﷺ فَقَالَتْ: إِنَّ أُمِّي تُوُفِّيَتْ. وَعَلَيْهَا نَذْرُ صِيَامٍ. فَتُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«لِيَصُمْ عَنْهَا الْوَلِيُّ»**.

20 ـ بابُ مَنْ نَذَرَ أَنْ يَحُجَّ مَاشِياً

2134 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ يَحْيَىٰ بْنِ سَعِيدٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ زَحْرٍ، عَنْ أَبِي سَعِيدٍ الرُّعَيْنِيِّ؛ أَنَّ عَبْدَ اللَّهِ بْنَ مَالِكٍ أَخْبَرَهُ أَنَّ عُقْبَةَ بْنَ عَامِرٍ أَخْبَرَهُ أَنَّ أُخْتَهُ نَذَرَتْ أَنْ تَمْشِيَ حَافِيَةً، غَيْرَ مُخْتَمِرَةٍ؛ وَأَنَّهُ ذَكَرَ ذٰلِكَ لِرَسُولِ اللَّهِ ﷺ. فَقَالَ: **«مُرْهَا فَلْتَرْكَبْ وَلْتَخْتَمِرْ وَلْتَصُمْ ثَلاثَةَ أَيَّامٍ»**.

2135 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ عَمْرِو بْنِ أَبِي عَمْرٍو، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: رَأَى النَّبِيُّ ﷺ شَيْخاً يَمْشِي بَيْنَ ابْنَيْهِ. فَقَالَ: **«مَا شَأْنُ هٰذَا؟»** قَالَ ابْنَاهُ: نَذْرٌ، يَا رَسُولَ اللَّهِ! قَالَ: **«ارْكَبْ أَيُّهَا الشَّيْخُ فَإِنَّ اللَّهَ غَنِيٌّ عَنْكَ وَعَنْ نَذْرِكَ»**.

21 ـ بابُ مَنْ خَلَطَ في نَذْرِهِ طَاعَةً بِمَعْصِيَةٍ

2136 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا إِسْحَاقُ بْنُ مُحَمَّدٍ الْفَرْوِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عُمَرَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ مَرَّ بِرَجُلٍ بِمَكَّةَ وَهُوَ قَائِمٌ فِي الشَّمْسِ. فَقَالَ: **«مَا هٰذَا؟»** قَالُوا: نَذَرَ أَنْ يَصُومَ وَلاَ يَسْتَظِلَّ إِلَى اللَّيْلِ. وَلاَ يَتَكَلَّمَ. وَلاَ يَزَالَ قَائِماً. قَالَ: **«لِيَتَكَلَّمْ وَلْيَسْتَظِلْ وَلْيَجْلِسْ وَلْيُتِمَّ صَوْمَهُ»**.

حدثنا الْحُسَيْنُ بْنُ مُحَمَّدِ بْنِ شَيْبَةَ الْوَاسِطِيُّ، حَدَّثَنَا الْعَلاَءُ بْنُ عَبْدِ الْجَبَّارِ، عَنْ وَهْبٍ، عَنْ أَيُّوبَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ عن النبيِّ ﷺ نحوه. والله أعلم.

(12) THE BOOK OF TRANSACTIONS

[1] The Exhortation To (Seek To) Gain Earnings

2137- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best (and most lawful) thing one ever eats is that which is gained from (the labour of) his own hand; and one's child (along with his property) is out of such earnings of him."

2138- It is narrated on the authority of Al-Miqdam Ibn Ma'di-Karib Az-Zubaidi that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Never does a man earn better (and more lawful) than what is gained from the labour of his own hand; and whatever one spends on himself, his family, his offspring and his servant is charity."

2139- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The Muslim, honest, trustworthy, sincere trader will be (mustered) in the company of the martyrs on the Day of Judgement."

2140- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as seeks (to earn what he spends) on a widow or an indigent is like him, who fights in the Cause of Allah, and him who stands (for offering supererogatory prayers) at night, and observes fast by day."

2141- It is narrated on the authority of Mu'adh Ibn Abdullah Ibn Khubaib from his father from his paternal uncle that he said: We were sitting in a gathering when the Messenger of Allah "Allah's blessing and peace be upon him" came, and there were traces of water on his head. One of us said to him: "We see you well-pleased today." He said: "Yes, praise be to Allah." Then, the people went on discussing richness, thereupon he said: "There is no harm from richness for such as safeguards (himself from the punishment of Allah and wards off evil), even though the health is better than richness for such as fears (Allah), and the satisfaction of the soul is out of the bliss."

[2] Adhering To Moderation In Seeking For The Living Earnings

2142- It is narrated on the authority of Abu Humaid As-Sa'idi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Be moderate in seeking for (the earnings of) living, for everyone is made to find it easy to do that for which he is created."

12 ـ كِتَابُ التِّجَارَاتِ

1 ـ بابُ الحَثِّ على المَكَاسِبِ

2137 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ بْنِ حَبِيبٍ؛ قَالُوا: حَدَّثَنَا أَبُو مُعَاوِيَةَ. حَدَّثَنَا الأَعْمَشُ عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ أَطْيَبَ مَا أَكَلَ الرَّجُلُ مِنْ كَسْبِهِ. وَإِنَّ وَلَدَهُ مِنْ كَسْبِهِ»**.

2138 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ بَحِيرِ بْنِ سَعْدٍ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ الزُّبَيْدِيِّ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: **«مَا كَسَبَ الرَّجُلُ كَسْباً أَطْيَبَ مِنْ عَمَلِ يَدِهِ. وَمَا أَنْفَقَ الرَّجُلُ عَلَى نَفْسِهِ وَأَهْلِهِ وَوَلَدِهِ وَخَادِمِهِ، فَهُوَ صَدَقَةٌ»**.

2139 ـ **حدّثنا** أَحْمَدُ بْنُ سِنَانٍ. حَدَّثَنَا كَثِيرُ بْنُ هِشَامٍ. حَدَّثَنَا كُلْثُومُ بْنُ جَوْشَنٍ الْقُشَيْرِيُّ عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«التَّاجِرُ الأَمِينُ الصَّدُوقُ الْمُسْلِمُ، مَعَ الشُّهَدَاءِ يَوْمَ الْقِيَامَةِ»**.

2140 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ الدَّرَاوَرْدِيُّ، عَنْ ثَوْرِ بْنِ زَيْدٍ الدِّيلِيِّ، عَنْ أَبِي الْغَيْثِ مَوْلَى ابْنِ مُطِيعٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«السَّاعِي عَلَى الأَرْمَلَةِ وَالْمِسْكِينِ كَالْمُجَاهِدِ فِي سَبِيلِ اللَّهِ، وَكَالَّذِي يَقُومُ اللَّيْلَ وَيَصُومُ النَّهَارَ»**.

2141 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ سُلَيْمَانَ عَنْ مُعَاذِ بْنِ عَبْدِ اللَّهِ بْنِ خُبَيْبٍ، عَنْ أَبِيهِ، عَنْ عَمِّهِ؛ قَالَ: كُنَّا فِي مَجْلِسٍ. فَجَاءَ النَّبِيُّ ﷺ وَعَلَى رَأْسِهِ أَثَرُ مَاءٍ. فَقَالَ لَهُ بَعْضُنَا: نَرَاكَ الْيَوْمَ طَيِّبَ النَّفْسِ. فَقَالَ: **«أَجَلْ. وَالْحَمْدُ لِلَّهِ»** ثُمَّ أَفَاضَ الْقَوْمُ فِي ذِكْرِ الْغِنَى. فَقَالَ: **«لاَ بَأْسَ بِالْغِنَى لِمَنِ اتَّقَى. وَالصِّحَّةُ لِمَنِ اتَّقَى خَيْرٌ مِنَ الْغِنَى. وَطِيبُ النَّفْسِ مِنَ النَّعِيمِ»**.

2 ـ بابُ الاقْتِصَادِ فِي طَلَبِ المَعِيشَةِ

2142 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عُمَارَةَ بْنِ غَزِيَّةَ، عَنْ رَبِيعَةَ بْنِ أَبِي عَبْدِ الرَّحْمٰنِ، عَنْ عَبْدِ الْمَلِكِ بْنِ سَعِيدٍ الأَنْصَارِيِّ، عَنْ أَبِي حُمَيْدٍ السَّاعِدِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَجْمِلُوا فِي طَلَبِ الدُّنْيَا فَإِنَّ كُلاًّ مُيَسَّرٌ لِمَا خُلِقَ لَهُ»**.

2143- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The one who has the greatest concern from amongst the people is him, who is interested in (the affairs of) both his world and hereafter." (Abu Abdullah says: This narration is strange, and it is transmitted only by Isma'il)

2144- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O people! Fear Allah and stick to moderation in seeking (for the living earnings): no doubt, no soul will die until it receives the sustenance decreed for it to the full, even though it delays to come to it. So, fear Allah, and be moderate in seeking (for the living earnings): take only what is lawful, and leave what is unlawful."

[3] One Should Be Careful In Practicing Trade

2145- It is narrated on the authority of Qais Ibn Abu Gharzah that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", we (the assembly of traders) were called the brokers. Once, the Messenger of Allah "Allah's blessing and peace be upon him" came upon us and gave us a name much better than that, when he said: "O community of traders! No doubt, both telling lies and obscenity prevail in the transaction: so, you should (stop from that, or at least) mix it with charity (in order to remove the evil traces)."

2146- It is narrated on the authority of Isma'il Ibn Ubaid Ibn Rifa'ah from his father from his grandfather Rifa'ah that he said: We set out in the company of the Messenger of Allah "Allah's blessing and peace be upon him", and behold! The people were engaged in transaction early in the morning. He called them: "O assembly of traders!" when they raised their sights, and stretched their necks, he said to them: "Verily, the traders will be resurrected as evil wicked on the Day of Judgement, barring such as fears Allah, is dutiful (and sincere to the people), and true (to his word)."

[4] If (A Portion Of) Sustenance Is Assigned To A Man From A Certain Source, Let Him Stick To It

2147- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one gets something (of sustenance) from a certain source, let him adhere to it" (and let not him change it into another one which might be unfitting).

2148- It is narrated on the authority of Nafi' that he said: I used to send (property for transactions) to both Sham and Egypt, and once, I sent it to

2143 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ بِهْرَامٍ. حَدَّثَنَا الْحَسَنُ بْنُ مُحَمَّدِ بْنِ عُثْمَانَ، زَوْجُ بِنْتِ الشَّعْبِيِّ. حَدَّثَنَا سُفْيَانُ عَنِ الأَعْمَشِ، عَنْ يَزِيدَ الرَّقَاشِيِّ، عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَعْظَمُ النَّاسِ هَمًّا، الْمُؤْمِنُ الَّذِي يَهُمُّ بِأَمْرِ دُنْيَاهُ وَأَمْرِ آخِرَتِهِ**».

قَالَ أَبُو عَبْدِ اللَّهِ: هٰذَا حَدِيثٌ غَرِيبٌ. تَفَرَّدَ بِهِ إِسْمَاعِيلُ.

2144 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُصَفَّى الْحِمْصِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَيُّهَا النَّاسُ اتَّقُوا اللَّهَ وَأَجْمِلُوا فِي الطَّلَبِ. فَإِنَّ نَفْساً لَنْ تَمُوتَ حَتَّى تَسْتَوْفِيَ رِزْقَهَا، وَإِنْ أَبْطَأَ عَنْهَا. فَاتَّقُوا اللَّهَ وَأَجْمِلُوا فِي الطَّلَبِ. خُذُوا مَا حَلَّ، وَدَعُوا مَا حَرُمَ**».

3 ـ بَابُ التَّوَقِّي فِي التِّجَارَةِ

2145 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ قَيْسِ بْنِ أَبِي غَرَزَةَ؛ قَالَ: كُنَّا نُسَمَّى، فِي عَهْدِ رَسُولِ اللَّهِ ﷺ، السَّمَاسِرَةَ. فَمَرَّ بِنَا رَسُولُ اللَّهِ ﷺ فَسَمَّانَا بِاسْمٍ هُوَ أَحْسَنُ مِنْهُ. فَقَالَ: «**يَا مَعْشَرَ التُّجَّارِ إِنَّ الْبَيْعَ يَحْضُرُهُ الْحَلِفُ وَاللَّغْوُ. فَشُوبُوهُ بِالصَّدَقَةِ**».

2146 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا يَحْيَى بْنُ سُلَيْمٍ الطَّائِفِيُّ، عَنْ عَبْدِ اللَّهِ بْنِ عُثْمَانَ بْنِ خُثَيْمٍ، عَنْ إِسْمَاعِيلَ بْنِ عُبَيْدِ بْنِ رِفَاعَةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ رِفَاعَةَ؛ قَالَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فَإِذَا النَّاسُ يَتَبَايَعُونَ بُكْرَةً. فَنَادَاهُمْ: «**يَا مَعْشَرَ التُّجَّارِ**» فَلَمَّا رَفَعُوا أَبْصَارَهُمْ، وَمَدُّوا أَعْنَاقَهُمْ. قَالَ: «**إِنَّ التُّجَّارَ يُبْعَثُونَ يَوْمَ الْقِيَامَةِ فُجَّاراً. إِلاَّ مَنِ اتَّقَى اللَّهَ وَبَرَّ وَصَدَقَ**».

4 ـ بَابٌ إِذَا قُسِمَ لِلرَّجُلِ رِزْقٌ مِنْ وَجْهٍ فَلْيَلْزَمْهُ

2147 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ. حَدَّثَنَا فَرْوَةُ أَبُو يُونُسَ، عَنْ هِلاَلِ بْنِ جُبَيْرٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَصَابَ مِنْ شَيْءٍ، فَلْيَلْزَمْهُ**».

2148 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا أَبُو عَاصِمٍ. أَخْبَرَنِي أَبِي، عَنِ الزُّبَيْرِ بْنِ عُبَيْدٍ، عَنْ نَافِعٍ؛ قَالَ: كُنْتُ أُجَهِّزُ إِلَى الشَّامِ وَإِلَى مِصْرَ. فَجَهَّزْتُ إِلَى الْعِرَاقِ. فَأَتَيْتُ عَائِشَةَ أُمَّ الْمُؤْمِنِينَ فَقُلْتُ لَهَا: يَا أُمَّ الْمُؤْمِنِينَ كُنْتُ أُجَهِّزُ إِلَى الشَّامِ. فَجَهَّزْتُ إِلَى

Iraq, thereupon I came to A'ishah, the Mother of the Believers, and said to her: "O Mother of Believers! I used to send (my property for trade) to Sham, and now, I sent it to Iraq." On that she said: "Do not do so: what is wrong with your (old) place of trade? I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "If Allah causes anyone of you to get sustenance from a certain source, let not him leave it, until it changes or keeps away from him.""

[5] What About Labor

2149- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Never did Allah send a Prophet but that he was a shepherd of sheep." His companions asked him: "What about you O Messenger of Allah?" he said: "I used to take care of the sheep of the people of Mecca for Qirats (one-twentieth a Dinar)." Suwaid said: He means each sheep for a single Qirat.

2150- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(The Prophet) Zakariyya was a carpenter."

2151- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, the picture makers will be put to punishment on the Day of Judgement, and it will be said to them: "Give life to what you've created!"

2152- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both dyers and ornament makers are the most ready to tell lies from amongst the people."

Comment: (That's because they often are not true to their promise)

[6] What About Monopolization And Importing (Food)

2153- It is narrated on the authority of Umar Ibn Al-Khattab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let the importer (of necessary commodities) have (Allah's Blessing in his) sustenance; and let the monopolizer (of goods) be cursed!"

2154- It is narrated on the authority of Ma'mar Ibn Abdullah Ibn Nadlah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None but a sinful dares to practice monopoly (of commodities)."

الْعِرَاقِ. فَقَالَتْ: لاَ تَفْعَلْ. مَا لَكَ وَلِمَتْجَرِكَ؟ فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «إِذَا سَبَّبَ اللَّهُ لِأَحَدِكُمْ رِزْقاً مِنْ وَجْهٍ، فَلاَ يَدَعْهُ حَتَّى يَتَغَيَّرَ لَهُ، أَوْ يَتَنَكَّرَ لَهُ».

5 ـ بَابُ الصِّنَاعَاتِ

2149 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا عَمْرُو بْنُ يَحْيَىٰ بْنِ سَعِيدٍ الْقُرَشِيُّ، عَنْ جَدِّهِ، عَنْ سَعِيدِ بْنِ أَبِي أُحَيْحَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَا بَعَثَ اللَّهُ نَبِيًّا إِلاَّ رَاعِيَ غَنَمٍ» قَالَ لَهُ أَصْحَابُهُ: وَأَنْتَ يَا رَسُولَ اللَّهِ قَالَ: «وَأَنَا. كُنْتُ أَرْعَاهَا لِأَهْلِ مَكَّةَ بِالْقَرَارِيطِ».

قَالَ سُوَيْدٌ: يَعْنِي كُلَّ شَاةٍ بِقِيرَاطٍ.

2150 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الْخُزَاعِيُّ، وَالْحَجَّاجُ، وَالْهَيْثَمُ بْنُ جَمِيلٍ؛ قَالوا: حَدَّثَنَا حَمَّادٌ عَنْ ثَابِتٍ، عَنْ أَبِي رَافِعٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «كَانَ زَكَرِيَّا نَجَّاراً».

2151 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ عَنْ نَافِعٍ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «إِنَّ أَصْحَابَ الصُّوَرِ يُعَذَّبُونَ يَوْمَ الْقِيَامَةِ. يُقَالُ لَهُمْ: أَحْيُوا مَا خَلَقْتُمْ».

2152 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا عُمَرُ بْنُ هَارُونَ، عَنْ هَمَّامٍ، عَنْ فَرْقَدٍ السَّبَخِيِّ، عَنْ يَزِيدَ بْنِ عَبْدِ اللَّهِ بْنِ الشِّخِّيرِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَكْذَبُ النَّاسِ الصَّبَّاغُونَ وَالصَّوَّاغُونَ».

6 ـ بَابُ الْحُكْرَةِ وَالْجَلَبِ

2153 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا أَبُو أَحْمَدَ. حَدَّثَنَا إِسْرَائِيلُ عَنْ عَلِيِّ بْنِ سَالِمِ بْنِ ثَوْبَانَ، عَنْ عَلِيِّ بْنِ زَيْدِ بْنِ جَدْعَانَ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ عُمَرَ بْنِ الْخَطَّابِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْجَالِبُ مَرْزُوقٌ وَالْمُحْتَكِرُ مَلْعُونٌ».

2154 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ مَعْمَرِ بْنِ عَبْدِ اللَّهِ بْنِ نَضْلَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لاَ يَحْتَكِرُ إِلاَّ خَاطِئٌ».

2155- It is narrated on the authority of Umar Ibn Al-Khattab that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who monopolizes food (and withholds it) from the Muslims, Allah afflicts him with leprosy and bankruptcy."

[7] The Fees Of Such As Treats With The Help Of Charm

2156- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent us, and we were thirty riders, in a detachment, and we alighted near a people, whom we asked to entertain us, but they refused. The chief of that tribe was then stung (by a scorpion). They went to us and said: "Are there among you such as practices charm (to remove the fatal effects) of the (sting of) the scorpion?" I said: "I could do. But I will not recite the charm for you unless you fix for us some wages for it." They agreed to pay us thirty goats (as fees). We accepted it, and I recited for him (the Surah of Al-Fatihah in which Allah is) praised seven times, thereupon he recovered. We received the sheep, but we felt something in ourselves because of that, and we said: "Do not make haste (to distribute that) until we go to The Prophet "Allah's blessing and peace be upon him"." When we went to Allah's Apostle "Allah's blessing and peace be upon him" I made a mention to him of what I've done. Allah's Apostle "Allah's blessing and peace be upon him" asked: "How did you come to know that it was recited as charm? Distribute (what you have earned) and assign a share for me."

(...) The same is narrated on the authority of Abu Sa'id Al-Khudri from the Prophet "Allah's blessing and peace be upon him" through two chains of transmitters.

[8] The Reward Of Teaching The Qur'an

2157- It is narrated on the authority of Ubadah Ibn As-Samit that he said: I instructed some people from those of Suffah in the Holy Qur'an and writing, and one of them presented to me a bow, thereupon I said: "It is not considered as money: let me (accept it and) shoot with the help of it (in fighting) in the Cause of Allah." But I sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him", and he said: "If you are pleased to have your neck encircled with it as a collar of fire (on the Day of Judgement), then, you might accept it."

2158- It is narrated on the authority of Ubai Ibn Ka'b that he said: I instructed a man in the Holy Qur'an, thereupon he presented to me a bow (as charge), and when I made a mention of that to the Messenger of Allah

2155 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا أَبُو بَكْرٍ الْحَنَفِيُّ. حَدَّثَنَا الْهَيْثَمُ بْنُ رَافِعٍ. حَدَّثَنِي أَبُو يَحْيَىٰ الْمَكِّيُّ، عَنْ فَرُّوخَ مَوْلَى عُثْمَانَ بْنِ عَفَّانَ، عَنْ عُمَرَ بْنِ الْخَطَّابِ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«مَنِ احْتَكَرَ عَلَى الْمُسْلِمِينَ طَعَاماً ضَرَبَهُ اللَّهُ بِالْجُذَامِ وَالإِفْلاَسِ»**.

7 ـ بابُ أَجْرِ الرَّاقي

2156 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ. حَدَّثَنَا الأَعْمَشُ عَنْ جَعْفَرِ بْنِ إِيَاسٍ، عَنْ أَبِي نَضْرَةَ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: بَعَثَنَا رَسُولُ اللَّهِ ﷺ ثَلاَثِينَ رَاكِباً فِي سَرِيَّةٍ. فَنَزَلْنَا بِقَوْمٍ. فَسَأَلْنَاهُمْ أَنْ يَقْرُونَا. فَأَبَوْا. فَلُدِغَ سَيِّدُهُمْ فَأَتَوْنَا فَقَالُوا: أَفِيكُمْ أَحَدٌ يَرْقِي مِنَ الْعَقْرَبِ؟ فَقُلْتُ: نَعَمْ. أَنَا. وَلٰكِنْ لاَ أَرْقِيهِ حَتَّى تُعْطُونَا غَنَماً. قَالُوا: فَإِنَّا نُعْطِيكُمْ ثَلاَثِينَ شَاةً. فَقَبِلْنَاهَا. فَقَرَأْتُ عَلَيْهِ (الْحَمْدُ) سَبْعَ مَرَّاتٍ. فَبَرِىءَ وَقَبَضْنَا الْغَنَمَ. فَعَرَضَ فِي أَنْفُسِنَا مِنْهَا شَيْءٌ. فَقُلْنَا: لاَ تَعْجَلُوا حَتَّى نَأْتِيَ النَّبِيَّ ﷺ. فَلَمَّا قَدِمْنَا ذَكَرْتُ لَهُ الَّذِي صَنَعْتُ. فَقَالَ: **«أَوَمَا عَلِمْتَ أَنَّهَا رُقْيَةٌ؟ اقْتَسِمُوهَا وَاضْرِبُوا لِي مَعَكُمْ سَهْماً»**.

حدّثنا أَبُو كُرَيْبٍ. حَدَّثَنَا هُشَيْمٌ. حَدَّثَنَا أَبُو بِشْرٍ عَنِ ابْنِ أَبِي الْمُتَوَكِّلِ، عَنْ أَبِي الْمُتَوَكِّلِ، عَنْ أَبِي سَعِيدٍ، عَنِ النَّبِيِّ ﷺ بِنَحْوِهِ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ أَبِي بِشْرٍ، عَنْ أَبِي الْمُتَوَكِّلِ، عَنْ أَبِي سَعِيدٍ، عَنِ النَّبِيِّ ﷺ بِنَحْوِهِ.

قَالَ أَبُو عَبْدِ اللَّهِ: وَالصَّوَابُ هُوَ أَبُو الْمُتَوَكِّلِ.

8 ـ بابُ الأَجْرِ على تَعْلِيمِ القُرْآنِ

2157 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالاَ: حَدَّثَنَا وَكِيعٌ. مُغِيرَةُ بْنُ زِيَادٍ الْمَوْصِلِيُّ، عَنْ عُبَادَةَ بْنِ نُسَيٍّ، عَنِ الأَسْوَدِ بْنِ ثَعْلَبَةَ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ؛ قَالَ: عَلَّمْتُ نَاساً مِنْ أَهْلِ الصُّفَّةِ الْقُرْآنَ وَالْكِتَابَةَ. فَأَهْدَى إِلَيَّ رَجُلٌ مِنْهُمْ قَوْساً. فَقُلْتُ: لَيْسَتْ بِمَالٍ. وَأَرْمِي عَنْهَا فِي سَبِيلِ اللَّهِ. فَسَأَلْتُ رَسُولَ اللَّهِ ﷺ عَنْهَا. فَقَالَ: **«إِنْ سَرَّكَ أَنْ تُطَوَّقَ بِهَا طَوْقاً مِنْ نَارٍ فَاقْبَلْهَا»**.

2158 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ، عَنْ ثَوْرِ بْنِ يَزِيدَ. حَدَّثَنَا خَالِدُ بْنُ مَعْدَانَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ سَلْمٍ، عَنْ عَطِيَّةَ الْكَلاَعِيِّ، عَنْ أُبَيِّ بْنِ كَعْبٍ؛ قَالَ: عَلَّمْتُ رَجُلاً الْقُرْآنَ. فَأَهْدَى إِلَيَّ قَوْساً. فَذَكَرْتُ ذٰلِكَ لِرَسُولِ اللَّهِ ﷺ. فَقَالَ: **«إِنْ أَخَذْتَهَا أَخَذْتَ قَوْساً مِنْ نَارٍ»** فَرَدَدْتُهَا.

"Allah's blessing and peace be upon him", he said: "If you take it, you will have taken a bow of fire." So, I returned it.

[9] It Is Forbidden To Take The Price Of A Dog, The Earnings Of A Prostitute, The Income Of A Soothsayer, And The (Charge Of The) Semen Of A Male Animal

2159- It is narrated on the authority of Abu Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (people to accept) the price of a dog, the earnings of a prostitute, and the income of a soothsayer.

2160- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (people to accept) the price of a dog, and the (charge of the) semen of (borrowing) a male animal (for mating).

2161- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (the people to accept) the price of a tomcat.

[10] What About The Earnings Of A Cupper

2162- It is narrated on the authority of Ibn Abbas that once, the Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped, and he gave him (the cupper) his wages. This narration is related only by Ibn Abu Umar, according to Ibn Majah.

2163- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped, and he ordered me to give the cupper his wages; and I did accordingly.

2164- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped, and he gave the cupper his wages.

2165- It is narrated on the authority of Abu Mas'ud: Uqbah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (the people to accept) earnings from cupping.

2166- It is narrated on the authority of Haram Ibn Muhaiyyisah from his father that he asked the Messenger of Allah "Allah's blessing and peace be upon him" about the earnings of the cupper, and he forbade him (to accept it); and when he made a mention to him of his need, he said to him: "(Make benefit from it in getting) fodder for your camels, used in carrying water."

9 ـ بابُ النَّهْيِ عَنْ ثَمَنِ الكَلْبِ ومَهْرِ البَغِيِّ وحُلْوَانِ الكَاهِنِ وعَسْبِ الفَحْلِ

2159 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي مَسْعُودٍ؛ أَنَّ النَّبِيَّ ﷺ نَهَىٰ عَنْ ثَمَنِ الْكَلْبِ وَمَهْرِ الْبَغِيِّ وَحُلْوَانِ الْكَاهِنِ.

2160 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ طَرِيفٍ. قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ. حَدَّثَنَا الأَعْمَشُ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ ثَمَنِ الْكَلْبِ وَعَسْبِ الْفَحْلِ.

2161 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا الْوَلِيدُ بْنُ مَسْلَمَةَ. أَنْبَأَنَا ابْنُ لَهِيعَةَ، عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرٍ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ ثَمَنِ السِّنَّوْرِ.

10 ـ بابُ كَسْبِ الحَجَّامِ

2162 ـ **حدّثنا** مُحَمَّدُ بْنُ أَبِي عُمَرَ الْعَدَنِيُّ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَأَعْطَاهُ أَجْرَهُ.

تَفَرَّدَ بِهِ ابْنُ أَبِي عُمَرَ وَحْدَهُ. قَالَهُ ابْنُ مَاجَةَ.

2163 ـ **حدّثنا** عَمْرُو بْنُ عَلِيٍّ أَبُو حَفْصٍ الصَّيْرَفِيُّ. حَدَّثَنَا أَبُو دَاوُدَ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ عُبَادَةَ الْوَاسِطِيُّ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. قَالاَ: حَدَّثَنَا وَرْقَاءُ، عَنْ عَبْدِ الأَعْلَىٰ، عَنْ أَبِي حُمَيْدٍ، عَنْ عَلِيٍّ، قَالَ: احْتَجَمَ رَسُولُ اللَّهِ ﷺ وَأَمَرَنِي فَأَعْطَيْتُ الْحَجَّامَ أَجْرَهُ.

2164 ـ **حدّثنا** عَبْدُ الْحَمِيدِ بْنُ بَيَانٍ الْوَاسِطِيُّ. حَدَّثَنَا خَالِدُ بْنُ عَبْدِ اللَّهِ، عَنْ يُونُسَ، عَنِ ابْنِ سِيرِينَ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَأَعْطَى الْحَجَّامَ أَجْرَهُ.

2165 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا يَحْيَىٰ بْنُ حَمْزَةَ. حَدَّثَنِي الأَوْزَاعِيُّ عَنِ الزُّهْرِيِّ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ الْحٰرِثِ بْنِ هِشَامٍ، عَنْ أَبِي مَسْعُودٍ، عُقْبَةَ بْنِ عَمْرٍو؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ كَسْبِ الْحَجَّامِ.

2166 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنِ الزُّهْرِيِّ، عَنْ حَرَامِ بْنِ مُحَيِّصَةَ، عَنْ أَبِيهِ؛ أَنَّهُ سَأَلَ النَّبِيَّ ﷺ عَنْ كَسْبِ الْحَجَّامِ. فَنَهَاهُ عَنْهُ. فَذَكَرَ لَهُ الْحَاجَةَ. فَقَالَ: «**اعْلِفْهُ نَوَاضِحَكَ**».

[11] What Is Unlawful To Sell

2167- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said in the year of Conquest, while he was in Mecca: "No doubt, Allah and His Messenger prohibited the sale of wine, dead (animals), swine and idols." It was said: "O Messenger of Allah! What about the fat of the dead (animals), it is used in painting the (wood of the) ships, varnishing the hide and the people use it in lighting." He (The Prophet) said: "No, it is prohibited." Then he added: "Might Allah destroy the Jews! When the fat was prohibited to them by Allah, they melted it, then sold it, and utilized its price."

2168- It is narrated on the authority of Abu Umamah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade the selling and buying of songstresses, their earnings, and utilizing their price.

[12] It Is Forbidden To (Sell By Way Of) Throwing And Touching

2169- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade two (kinds of) sales, by way of touching, and throwing.

Comment: (As to throwing, that is, to sell a garment by casting it to the buyer not allowing him to examine or see it. As for the sale by way of touching, it is to buy a garment, for example, by only touching it, not looking at it)

2170- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (two sales by way of) touching and throwing. Sahl added in his narration: The touching is that he (the buyer) touches the thing (that he likes to buy) without examining it; and as to throwing, it is that he (the seller) says (to the buyer): Throw to me whatever (money) you have, and I will throw to you what I have.

[13] One Should Not Sell Or Buy In Opposition To His Brother

2171- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No (seller) should make a transaction (with a purchaser) against the transaction made by (another seller who is) his brother (in the religion of Allah)."

2172- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No (seller) should make a transaction (with a purchaser) against the transaction

11 ـ بابُ ما لا يَحِلُّ بَيْعُهُ

2167 ـ **حدّثنا** عِيسَى بْنُ حَمَّادٍ الْمِصْرِيُّ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ؛ أَنَّهُ قَالَ: قَالَ عَطَاءُ بْنُ أَبِي رَبَاحٍ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ، عَامَ الْفَتْحِ وَهُوَ بِمَكَّةَ: **«إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالأَصْنَامِ»** فَقِيلَ لَهُ، عِنْدَ ذٰلِكَ: يَا رَسُولَ اللَّهِ أَرَأَيْتَ شُحُومَ الْمَيْتَةِ، فَإِنَّهُ يُدْهَنُ بِهَا السُّفُنُ، وَيُدْهَنُ بِهَا الْجُلُودُ، وَيَسْتَصْبِحُ بِهَا النَّاسُ؟ قَالَ: **«لاَ. هُوَ حَرَامٌ»**. ثُمَّ قَالَ رَسُولُ اللَّهِ ﷺ: **«قَاتَلَ اللَّهُ الْيَهُودَ. إِنَّ اللَّهَ حَرَّمَ عَلَيْهِمُ الشُّحُومَ فَأَجْمَلُوهُ، ثُمَّ بَاعُوهُ فَأَكَلُوا ثَمَنَهُ»**.

2168 ـ **حدّثنا** أَحْمَدُ بْنُ مُحَمَّدِ بْنِ يَحْيَى بْنِ سَعِيدٍ الْقَطَّانِ. حَدَّثَنَا هَاشِمُ بْنُ الْقَاسِمِ. حَدَّثَنَا أَبُو جَعْفَرٍ الرَّازِيُّ، عَنْ عَاصِمٍ، عَنْ أَبِي الْمُهَلَّبِ، عَنْ عُبَيْدِ اللَّهِ الإِفْرِيقِيِّ، عَنْ أَبِي أُمَامَةَ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْمُغَنِّيَاتِ وَعَنْ شِرَائِهِنَّ وَعَنْ كَسْبِهِنَّ وَعَنْ أَكْلِ أَثْمَانِهِنَّ.

12 ـ بابُ ما جَاءَ في النَّهْيِ عَنِ الْمُنَابَذَةِ والْمُلاَمَسَةِ

2169 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ وَأَبُو أُسَامَةَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ حَبِيبِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ حَفْصِ بْنِ عَاصِمٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعَتَيْنِ: عَنِ الْمُلاَمَسَةِ وَالْمُنَابَذَةِ.

2170 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَسَهْلُ بْنُ أَبِي سَهْلٍ؛ قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عَطَاءِ بْنِ يَزِيدَ اللَّيْثِيِّ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ الْمُلاَمَسَةِ وَالْمُنَابَذَةِ.

زَادَ سَهْلٌ: قَالَ سُفْيَانُ: الْمُلاَمَسَةُ أَنْ يَلْمِسَ الرَّجُلُ بِيَدِهِ الشَّيْءَ وَلاَ يَرَاهُ. وَالْمُنَابَذَةُ أَنْ يَقُولَ: أَلْقِ إِلَيَّ مَا مَعَكَ، وَأُلْقِي إِلَيْكَ مَا مَعِي.

13 ـ بابٌ «لا يَبِيعُ الرَّجُلُ على بَيْعِ أَخِيهِ ولا يَسُومُ على سَوْمِهِ»

2171 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ يَبِيعُ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ»**.

2172 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ يَبِيعُ الرَّجُلُ عَلَى بَيْعِ أَخِيهِ، وَلاَ يَسُومُ عَلَى سَوْمِ أَخِيهِ»**.

made by (another seller who is) his brother (in the religion of Allah), nor should one (purchaser) enter into a transaction (which has already been agreed upon) by his (Muslim) brother."

[14] Najsh Is Forbidden

2173- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" forbade practicing Najsh (in transaction: to overestimate the goods with the intention not to purchase them so much as to raise their price, and cause harm to others).

2174- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not practice Najsh among yourselves (in transaction)!"

[15] It Is Forbidden That A Town Dweller Should Sell On Behalf Of A Desert Dweller

2175- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no town dweller sell on behalf of a desert dweller."

2176- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no town dweller sell on behalf of a desert dweller, and rather, let the people (do by themselves, perchance) Allah would provide some of them with sustenance from (practicing transaction with) others."

2177- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a town dweller should sell on behalf of a desert dweller. I (the sub-narrator) said to Ibn Abbas: How should a down dweller sell on behalf of a desert dweller? He said: He should not act as a broker (for him).

[16] It Is Forbidden To Receive The Imported Goods On The Way

2178- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not receive the imported goods on the way; and whoever receives and buys anything of it, then, its importer has the freedom of choice once he comes to the market (whether to take it back from the one who has bought it on the way, or leave it)."

2179- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (the

14 ـ بابُ ما جَاءَ في النَّهْيِ عَنِ النَّجْشِ

2173 ـ قَرَأْتُ عَلَى مُصْعَبِ بْنِ عَبْدِ اللَّهِ الزُّبَيْرِيِّ، عَنْ مَالِكٍ. ح وَحَدَّثَنَا أَبُو حُذَافَةَ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ النَّبِيَّ ﷺ نَهَى عَنِ النَّجْشِ.

2174 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ وَسَهْلُ بْنُ أَبِي سَهْلٍ. قَالاَ: حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ، عَنْ سَعِيدٍ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ تَنَاجَشُوا»**.

15 ـ بابُ النَّهْيِ أنْ يَبِيعَ حَاضِرٌ لِبَادٍ

2175 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ يَبِيعُ حَاضِرٌ لِبَادٍ»**.

2176 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«لاَ يَبِيعُ حَاضِرٌ لِبَادٍ. دَعُوا النَّاسَ يَرْزُقُ اللَّهُ بَعْضَهُمْ مِنْ بَعْضٍ»**.

2177 ـ **حدّثنا** الْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ. حَدَّثَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا مَعْمَرٌ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ.

قُلْتُ لابْنِ عَبَّاسٍ: مَا قَوْلُهُ حَاضِرٌ لِبَادٍ؟ قَالَ: لاَ يَكُونُ لَهُ سِمْسَاراً.

16 ـ بابُ النَّهْيِ عَنْ تَلَقِّي الجَلَبِ

2178 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامِ بْنِ حَسَّانٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«لاَ تَلَقَّوُا الأَجْلاَبَ. فَمَنْ تَلَقَّى مِنْهُ شَيْئاً فَاشْتَرَى، فَصَاحِبُهُ بِالْخِيَارِ، إِذَا أَتَى السُّوقَ»**.

2179 ـ **حدّثنا** عُثْمَانُ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ تَلَقِّي الْجَلَبِ.

traders) to receive the goods brought (from other regions) on the way (before they would reach the market).

2180- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (traders) to receive the commodities on the way (before they would reach the market).

[17] Both Parties Involved In The Transaction Have The Freedom Of Choice (To Confirm Or Cancel The Bargain) As Long As They Do Not Leave The Spot

2181- It is narrated on the authority of Abdullah Ibn Umar: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When both (the buyer and the seller) are engaged in transaction, each of them has the freedom to choose (to cancel or confirm the bargain), unless they separate and as long as they are still together, and none of them gives the other the freedom to choose (to keep or return before giving his final decision). But if one of them gives the other the freedom to choose (to keep or return before giving his final decision), and then the bargain is done, in this way the sale becomes binding. If they separate and none of them cancels the bargain, then the sale becomes binding."

2182- It is narrated on the authority of Abu Barzah Al-Aslami that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both parties involved in the transaction have the freedom of choice (to confirm or cancel the bargain) as long as they do not leave the spot and as long as they do not separate from one another."

2183- It is narrated on the authority of Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both parties involved in the transaction have the freedom of choice (to confirm or cancel the bargain) as long as they do not leave the spot and as long as they do not separate from one another."

[18] The Optional Sale

2184- It is narrated on the authority of Jabir Ibn Abdullah that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" bought from a Bedouin a (camel's) load of leaves fallen (from trees because of striking them, used as fodder), and when the bargain was (about to be) confirmed, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Choose (to fix or modify the suggested price)." The Bedouin said: "Might Allah make long your life! How good this bargain is!"

2180 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا يَحْيَىٰ بْنُ سَعِيدٍ وَحَمَّادُ بْنُ مَسْعَدَةَ، عَنْ سُلَيْمَانَ التَّيْمِيِّ. ح وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ بْنِ حَبِيبِ بْنِ الشَّهِيدِ. حَدَّثَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ؛ قَالَ: سَمِعْتُ أَبِي. قَالَ: حَدَّثَنَا أَبُو عُثْمَانَ النَّهْدِيُّ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ تَلَقِّي الْبُيُوعِ.

17 ـ بابٌ «البَيِّعَانِ بالخِيَارِ ما لَمْ يَفْتَرِقَا»

2181 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ الْمِصْرِيُّ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «**إِذَا تَبَايَعَ الرَّجُلاَنِ فَكُلُّ وَاحِدٍ مِنْهُمَا بِالْخِيَارِ مَا لَمْ يَفْتَرِقَا وَكَانَا جَمِيعاً. أَوْ يُخَيِّرُ أَحَدُهُمَا الآخَرَ. فَإِنْ خَيَّرَ أَحَدُهُمَا الآخَرَ فَتَبَايَعَا عَلَى ذٰلِكَ، فَقَدْ وَجَبَ الْبَيْعُ. وَإِنْ تَفَرَّقَا بَعْدَ أَنْ تَبَايَعَا، وَلَمْ يَتْرُكْ وَاحِدٌ مِنْهُمَا الْبَيْعَ، فَقَدْ وَجَبَ الْبَيْعُ**».

2182 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ وَأَحْمَدُ بْنُ الْمِقْدَامِ. قَالاَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ جَمِيلِ بْنِ مُرَّةَ، عَنْ أَبِي الْوَضِيءِ، عَنْ أَبِي بَرْزَةَ الأَسْلَمِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْبَيِّعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا**».

2183 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ وَإِسْحَاقُ بْنُ مَنْصُورٍ. قَالاَ: حَدَّثَنَا عَبْدُ الصَّمَدِ. حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، عَنْ سَمُرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْبَيِّعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا**».

18 ـ بابُ بَيْعِ الخِيَارِ

2184 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَىٰ وَأَحْمَدُ بْنُ عِيسَى الْمِصْرِيَّانِ. قَالاَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ، أَخْبَرَنِي ابْنُ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: اشْتَرَى رَسُولُ اللَّهِ ﷺ مِنْ رَجُلٍ مِنَ الأَعْرَابِ حِمْلَ خَبَطٍ. فَلَمَّا وَجَبَ الْبَيْعُ قَالَ رَسُولُ اللَّهِ ﷺ: «**اخْتَرْ**» فَقَالَ الأَعْرَابِيُّ: عَمْرَكَ اللَّهُ بَيْعاً.

2185- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The bargain should be done with the satisfaction" (of both the seller and the buyer, i.e. it should be optional).

[19] When Both Parties Involved In Transaction Differ

2186- It is narrated on the authority of Al-Qasim Ibn Abd Ar-Rahman from his father that Abdullah Ibn Mas'ud entered into transaction with Al-Ash'ath Ibn Qais pertaining to some slaves belonging to the governorate, and both differed about the suggested price. Ibn Mas'ud said: "I've sold to you for twenty thousand." Al-Ash'ath Ibn Qais said: "I've purchased for ten thousand." On that Ibn Mas'ud said: "If you like, I would relate to you a narration I heard from the Messenger of Allah "Allah's blessing and peace be upon him"." He said: "Relate it to me." He said: "Verily, I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When both parties involved in the transaction differ, and there is no clear evidence (to settle the matter), and the deal is still standing, the (right of) suggestion should be for the seller, otherwise, the bargain should be cancelled."" He said: "I see it better to cancel the bargain." Thus, it was cancelled.

[20] It Is Forbidden To Sell What Is Not In One's Possession, And Have Profit Of (Selling) Anything That Has No Warranty

2187- It is narrated on the authority of Hakim Ibn Hizam that he said: I said: "O Messenger of Allah! A man might ask me to sell him something, which is not in my possession: should I sell it?" he said: "Do not sell what is not in your possession."

2188- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is forbidden to sell what is not in your possession, and have profit of (selling) anything that has no warranty."

2189- It is narrated on the authority of Itab Ibn Asid that when the Messenger of Allah "Allah's blessing and peace be upon him" sent him to Mecca, he forbade him to take the profit of (selling) anything that had no warranty.

[21] When Two (Buyers Or Sellers) Enter Into Transaction (With Anyone), The First Has More Claim Over It

2190- It is narrated on the authority of Uqbah Ibn Amir or Samurah Ibn Jundub that the Messenger of Allah "Allah's blessing and peace be upon

2185 ـ **حدّثنا** الْعَبَّاسُ بْنُ الْوَلِيدِ الدِّمَشْقِيُّ. حَدَّثَنَا مَرْوَانُ بْنُ مُحَمَّدٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ دَاوُدَ بْنِ صَالِحٍ الْمَدَنِيِّ، عَنْ أَبِيهِ؛ قَالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيَّ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّمَا الْبَيْعُ عَنْ تَرَاضٍ»**.

19 ـ بابُ البَيِّعَانِ يَخْتَلِفَانِ

2186 ـ **حدّثنا** عُثْمَانُ بْنُ أَبِي شَيْبَةَ وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا هُشَيْمٌ. أَنْبَأَنَا ابْنُ أَبِي لَيْلَىٰ، عَنِ الْقَاسِمِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِيهِ؛ أَنَّ عَبْدَ اللَّهِ بْنَ مَسْعُودٍ بَاعَ مِنَ الأَشْعَثِ ابْنِ قَيْسٍ رَقِيقاً مِنْ رَقِيقِ الإِمَارَةِ. فَاخْتَلَفَا فِي الثَّمَنِ. فَقَالَ ابْنُ مَسْعُودٍ: بِعْتُكَ بِعِشْرِينَ أَلْفاً. وَقَالَ الأَشْعَثُ بْنُ قَيْسٍ: إِنَّمَا اشْتَرَيْتُ مِنْكَ بِعَشْرَةِ آلاَفٍ. فَقَالَ عَبْدُ اللَّهِ: إِنْ شِئْتَ حَدَّثْتُكَ بِحَدِيثٍ سَمِعْتُهُ مِنْ رَسُولِ اللَّهِ ﷺ. فَقَالَ: هَاتِهِ. قَالَ: فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«إِذَا اخْتَلَفَ الْبَيِّعَانِ، وَلَيْسَ بَيْنَهُمَا بَيِّنَةٌ، وَالْبَيْعُ قَائِمٌ بِعَيْنِهِ، فَالْقَوْلُ مَا قَالَ الْبَائِعُ. أَوْ يَتَرَادَّانِ الْبَيْعَ»** قَالَ: فَإِنِّي أَرَى أَنْ أَرُدَّ الْبَيْعَ. فَرَدَّهُ.

20 ـ بابُ النَّهْيِ عَنْ بَيْعِ ما لَيْسَ عِنْدَكَ، وعَنْ رِبْحِ ما لَمْ يُضْمَنْ

2187 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ أَبِي بِشْرٍ. قَالَ: سَمِعْتُ يُوسُفَ بْنَ مَاهَكَ يُحَدِّثُ عَنْ حَكِيمِ بْنِ حِزَامٍ؛ قَالَ: قُلْتُ يَا رَسُولَ اللَّهِ؛ الرَّجُلُ يَسْأَلُنِي الْبَيْعَ وَلَيْسَ عِنْدِي. أَفَأَبِيعُهُ؟ قَالَ: **«لاَ تَبِعْ مَا لَيْسَ عِنْدَكَ»**.

2188 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. قَالَ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ. ح وَحَدَّثَنَا أَبُو كُرَيْبٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ. قَالاَ: حَدَّثَنَا أَيُّوبُ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ يَحِلُّ بَيْعُ مَا لَيْسَ عِنْدَكَ، وَلاَ رِبْحُ مَا لَمْ يُضْمَنْ»**.

2189 ـ **حدّثنا** عُثْمَانُ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ الْفُضَيْلِ، عَنْ لَيْثٍ، عَنْ عَطَاءٍ، عَنْ عَتَّابِ بْنِ أَسِيدٍ؛ قَالَ: لَمَّا بَعَثَهُ رَسُولُ اللَّهِ ﷺ إِلَى مَكَّةَ، نَهَاهُ عَنْ شِفِّ مَا لَمْ يُضْمَنْ.

21 ـ بابٌ إذا بَاعَ المُجِيزَانِ فهُوَ للأَوَّلِ

2190 ـ **حدّثنا** حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا خَالِدُ بْنُ الْحَرِثِ. حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، عَنْ عُقْبَةَ بْنِ عَامِرٍ أَوْ سَمُرَةَ بْنِ جُنْدَبٍ، عَنِ النَّبِيِّ ﷺ قَالَ: **«أَيُّمَا رَجُلٍ بَاعَ بَيْعاً مِنْ رَجُلَيْنِ فَهُوَ لِلأَوَّلِ مِنْهُمَا»**.

him" said: "When a man enters into transaction with two (concerning something), the first of them has more claim over it."

2191- It is narrated on the authority of Al-Hassan Ibn Samurah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When two guardians enter into transaction (with anyone concerning something), the first of them has more right over it."

[22] What About Transaction By Way Of Handsell

2192- It is narrated on the authority of Malik Ibn Anas that he said: I was reported on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" forbade transaction by way of handsell.

2193- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" forbade transaction by way of handsell. Abu Abdullah says: The handsell is that a man buys, say, a mount for one hundred Dinars, out of which he gives the seller two as handsell, and says to him: If I do not buy it, the two Dinars become yours. It is also said, and Allah knows better, that a man buys a thing, and gives to the seller a Dirham or less or more than that, and says to him: If I take this (thing, it will be ok) otherwise, the Dirham becomes yours.

[23] It Is Forbidden To Sell By Way Of (Throwing) Pebbles, Or To Sell A Thing Of Appealing Form And Unknown Nature

2194- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (people) to sell a thing of appealing form and unknown nature and to sell by way of (throwing) pebbles. (I.e. to say, for example: if I throw the pebbles, the bargain becomes binding, and before that, I have the freedom of choice to cancel or confirm the bargain; or to say: I'm going to throw the pebbles on this herd of sheep, and you should buy whatever receives pebbles from amongst them)

2195- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (people) to sell a thing of appealing form and unknown nature.

[24] It Is Forbidden To Buy What Is In The Wombs And Breasts Of Cattle, And (What Is Brought By) A Diver's Strike

2196- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade

2191 ـ **حدّثنا** الْحُسَيْنُ بْنُ أَبِي السَّرِيِّ الْعَسْقَلاَنِيُّ وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا سَعِيدُ بْنُ بَشِيرٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ بْنِ سَمُرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا بَاعَ الْمُجِيزَانِ فَهُوَ لِلأَوَّلِ**».

22 ـ بابُ بَيْعِ العُرْبَانِ

2192 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ. قَالَ: بَلَغَنِي عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ النَّبِيَّ ﷺ نَهَىٰ عَنْ بَيْعِ الْعُرْبَانِ.

2193 ـ **حدّثنا** الْفَضْلُ بْنُ يَعْقُوبَ الرُّخَامِيُّ. حَدَّثَنَا حَبِيبُ بْنُ أَبِي حَبِيبٍ، أَبُو مُحَمَّدٍ، كَاتِبُ مَالِكِ بْنِ أَنَسٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَامِرٍ الأَسْلَمِيُّ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ النَّبِيَّ ﷺ نَهَىٰ عَنْ بَيْعِ الْعُرْبَانِ.

قَالَ أَبُو عَبْدِ اللَّهِ: الْعُرْبَانُ أَنْ يَشْتَرِيَ الرَّجُلُ دَابَّةً بِمِائَةِ دِينَارٍ، فَيُعْطِيهِ دِينَارَيْنِ عُرْبُوناً. فَيَقُولُ: إِنْ لَمْ أَشْتَرِ الدَّابَّةَ، فَالدِّينَارَانِ لَكَ.

وَقِيلَ: يَعْنِي، وَاللَّهُ أَعْلَمُ: أَنْ يَشْتَرِيَ الرَّجُلُ الشَّيْءَ. فَيَدْفَعَ إِلَى الْبَائِعِ دِرْهَماً أَوْ أَقَلَّ أَوْ أَكْثَرَ. وَيَقُولَ: إِنْ أَخَذْتُهُ، وَإِلاَّ فَالدِّرْهَمُ لَكَ.

23 ـ بابُ النَّهْيِ عَنْ بَيْعِ الحَصَاةِ وعَنْ بَيْعِ الغَرَرِ

2194 ـ **حدّثنا** مُحْرِزُ بْنُ سَلَمَةَ الْعَدَنِيُّ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ عُبَيْدِ اللَّهِ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْغَرَرِ وَعَنْ بَيْعِ الْحَصَاةِ.

2195 ـ **حدّثنا** أَبُو كُرَيْبٍ وَالْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ. قَالاَ: حَدَّثَنَا الأَسْوَدُ بْنُ عَامِرٍ. حَدَّثَنَا أَيُّوبُ بْنُ عُتْبَةَ، عَنْ يَحْيَىٰ بْنِ كَثِيرٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْغَرَرِ.

24 ـ بابُ النَّهْيِ عَنْ شِرَاءِ ما في بُطُونِ الأَنْعَامِ وضُرُوعِهَا وضَرْبَةِ الغَائِصِ

2196 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ. حَدَّثَنَا جَهْضَمُ بْنُ عَبْدِ اللَّهِ الْيَمَانِيُّ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ الْبَاهِلِيِّ، عَنْ مُحَمَّدِ بْنِ زَيْدٍ الْعَبْدِيِّ، عَنْ شَهْرِ بْنِ حَوْشَبٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ

(people) to buy what is in the wombs of cattle until it is delivered, and what is in their breasts unless by weighing, and to buy a fleeing slave, and to buy (the objects of) war spoils until they are distributed, and to buy (the objects of) charity until they are received, and to buy (what is brought by) a diver's strike (for it is unknown).

2197- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the offspring of the would-be offspring of the pregnant she-camel.

[25] What About Outbidding

2198- It is narrated on the authority of Anas Ibn Malik that he said: A man from amongst the Ansar came to beg something from the Messenger of Allah "Allah's blessing and peace be upon him" who asked him: "Do you have any (luggage) in your house?" he said: "We have a rough mat, with a portion of which we get ourselves covered, and we spread the other portion; and we further have a vessel, in which we drink water." He said: "Bring them to me." He did accordingly, and the Messenger of Allah "Allah's blessing and peace be upon him" took them with his hand and said: "Who does buy those?" a man said: "I take them for a Dirham." He said: "Who will add to a Dirham?" he said it twice or thrice, after which another man said: "I take them for two Dirhams." He gave them to him, and took both Dirhams, which he gave to the Ansari one and said: "By one of them, buy some food and give it to your family and by the other, buy an adze, and bring it to me." He did accordingly, and the Messenger of Allah "Allah's blessing and peace be upon him" took it, and straightened a stick in it with his own hand, and then (gave it to him and) said: "Go and collect bundles of fire wood (and get your earnings from selling them), and let not me see you for fifteen days." He kept collecting bundles of fire wood and selling them and (when the term given to him elapsed) he came (to the Prophet) with ten Dirhams he gained. On that he (the Prophet) said to him: "Buy food by some of them, and a garment by some." He further said: "This is much better for you than to come (and beg from others), for begging will be a spot on your face on the Day of Judgement. No doubt, begging is not fitting but only for one of severe poverty, or one of grievous debt, or one who has (to pay a) blood (money, and in case he fails to do, he will be killed; and this is) painful."

[26] What About Relieving (Muslims)

2199- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He,

عَنْ شِرَاءِ مَا فِي بُطُونِ الأَنْعَامِ حَتَّى تَضَعَ، وَعَمَّا فِي ضُرُوعِهَا. إِلاَّ بِكَيْلٍ. وَعَنْ شِرَاءِ الْعَبْدِ وَهُوَ آبِقٌ، وَعَنْ شِرَاءِ الْمَغَانِمِ حَتَّى تُقْسَمَ، وَعَنْ شِرَاءِ الصَّدَقَاتِ حَتَّى تُقْبَضَ، وَعَنْ ضَرْبَةِ الْغَائِصِ.

2197 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ، عَنْ أَيُّوبَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ حَبَلِ الْحَبَلَةِ.

25 ـ بابُ بَيْعِ المُزَايَدَةِ

2198 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عِيسَى بْنُ يُونُسَ. حَدَّثَنَا الأَخْضَرُ بْنُ عَجْلاَنَ. حَدَّثَنَا أَبُو بَكْرٍ الْحَنَفِيُّ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ رَجُلاً مِنَ الأَنْصَارِ جَاءَ إِلَى النَّبِيِّ ﷺ يَسْأَلُهُ. فَقَالَ: «**لَكَ فِي بَيْتِكَ شَيْءٌ؟**» قَالَ: بَلَى. حِلْسٌ نَلْبَسُ بَعْضَهُ وَنَبْسُطُ بَعْضَهُ. وَقَدَحٌ نَشْرَبُ فِيهِ الْمَاءَ. قَالَ: «**ائْتِنِي بِهِمَا**» قَالَ، فَأَتَاهُ بِهِمَا. فَأَخَذَهُمَا رَسُولُ اللَّهِ ﷺ بِيَدِهِ. ثُمَّ قَالَ: «**مَنْ يَشْتَرِي هٰذَيْنِ؟**» فَقَالَ رَجُلٌ: أَنَا آخُذُهُمَا بِدِرْهَمٍ. قَالَ: «**مَنْ يَزِيدُ عَلَى دِرْهَمٍ؟**» مَرَّتَيْنِ أَوْ ثَلاَثاً. قَالَ رَجُلٌ: أَنَا آخُذُهُمَا بِدِرْهَمَيْنِ. فَأَعْطَاهُمَا إِيَّاهُ وَأَخَذَ الدِّرْهَمَيْنِ، فَأَعْطَاهُمَا الأَنْصَارِيَّ، وَقَالَ: «**اشْتَرِ بِأَحَدِهِمَا طَعَاماً فَانْبِذْهُ إِلَى أَهْلِكَ. وَاشْتَرِ بِالآخَرِ قَدُوماً، فَأْتِنِي بِهِ**» فَفَعَلَ. فَأَخَذَهُ رَسُولُ اللَّهِ ﷺ. فَشَدَّ فِيهِ عُوداً بِيَدِهِ وَقَالَ: «**اذْهَبْ فَاحْتَطِبْ وَلاَ أَرَاكَ خَمْسَةَ عَشَرَ يَوْماً**» فَجَعَلَ يَحْتَطِبُ وَيَبِيعُ. فَجَاءَ وَقَدْ أَصَابَ عَشَرَةَ دَرَاهِمَ. فَقَالَ: «**اشْتَرِ بِبَعْضِهَا طَعَاماً وَبِبَعْضِهَا ثَوْباً**». ثُمَّ قَالَ: «**هٰذَا خَيْرٌ لَكَ مِنْ أَنْ تَجِيءَ وَالْمَسْأَلَةُ نُكْتَةٌ فِي وَجْهِكَ يَوْمَ الْقِيَامَةِ. إِنَّ الْمَسْأَلَةَ لاَ تَصْلُحُ إِلاَّ لِذِي فَقْرٍ مُدْقِعٍ، أَوْ لِذِي غُرْمٍ مُفْظِعٍ، أَوْ دَمٍ مُوجِعٍ**».

26 ـ بابُ الإِقَالَةِ

2199 ـ **حدّثنا** زِيَادُ بْنُ يَحْيَى أَبُو الْخَطَّابِ. حَدَّثَنَا مَالِكُ بْنُ سُعَيْرٍ. حَدَّثَنَا الأَعْمَشُ عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَقَالَ مُسْلِماً أَقَالَهُ اللَّهُ عَثْرَتَهُ يَوْمَ الْقِيَامَةِ**».

who relieves a Muslim (as far as transaction is concerned), Allah will remove from him (a lot of his sins and mistakes) on the Day of Judgement."

[27] When One Dislikes To Fix A Price

2200- It is narrated on the authority of Anas Ibn Malik that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", the prices rose high, thereupon they said to him: "O Messenger of Allah! The prices rose high! Would that you Fix the price (of goods) for us!" on that he said: "No doubt, Allah Alone is the One, Who raises as well as lowers (the value of things), Who enlarges as well as restricts (sustenance for such of His servants as He pleases), Who provides with sustenance (all of His creatures): I would like to meet my Lord, with none to have a claim of injustice against me concerning blood or property."

2201- It is narrated on the authority of Abu Sa'id that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", the prices rose high, thereupon it was said to him: "Would that you price (the commodities) O Messenger of Allah!" on that he said: "I would like to leave you, with none of you to have a claim of grievance I might have done against him."

[28] Sticking To Leniency In Transaction

2202- It is narrated on the authority of Uthman Ibn Affan that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah admits to the Garden a man who is lenient, be he seller or buyer."

2203- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah bestows mercy upon the one who is lenient when he sells, lenient when he buys, and lenient when he asks for the fulfillment (of his money)."

[29] What About Haggling

2204- It is narrated on the authority of Qailah, the mother of the sons of Anmar that she said: I came to the Messenger of Allah "Allah's blessing and peace be upon him" at (the mountain of) Marwah during one of the Umrahs he performed, and said to him: "O Messenger of Allah! I'm a woman, who is engaged in transactions: If I like to buy a thing, I propose to get it with a price less than what I want to afford for it, and then I keep adding to it more and more until it amounts to what I want; and if I like to sell a thing, I propose to sell it with a price more than what I want, and then I keep reducing (from it) until it amounts to what I want." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do

27 ـ بَابُ مَنْ كَرِهَ أَنْ يُسَعَّرَ

2200 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُثَنَّى. حَدَّثَنَا حَجَّاجٌ. حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ قَتَادَةَ وَحُمَيْدٌ وَثَابِتٌ عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: غَلاَ السِّعْرُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ. فَقَالُوا: يَا رَسُولَ اللَّهِ قَدْ غَلاَ السِّعْرُ، فَسَعِّرْ لَنَا. فَقَالَ: **«إِنَّ اللَّهَ هُوَ الْمُسَعِّرُ الْقَابِضُ الْبَاسِطُ الرَّازِقُ. إِنِّي لأَرْجُو أَنْ أَلْقَى رَبِّي وَلَيْسَ أَحَدٌ يَطْلُبُنِي بِمَظْلِمَةٍ فِي دَمٍ وَلاَ مَالٍ»**.

2201 ـ **حدّثنا** مُحَمَّدُ بْنُ زِيَادٍ. حَدَّثَنَا عَبْدُ الأَعْلَى. حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ، عَنْ أَبِي نَضْرَةَ، عَنْ أَبِي سَعِيدٍ؛ قَالَ: غَلاَ السِّعْرُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ. فَقَالُوا: لَوْ قَوَّمْتَ، يَا رَسُولَ اللَّهِ! قَالَ: **«إِنِّي لأَرْجُو أَنْ أُفَارِقَكُمْ وَلاَ يَطْلُبُنِي أَحَدٌ مِنْكُمْ بِمَظْلِمَةٍ ظَلَمْتُهُ»**.

28 ـ بَابُ السَّمَاحَةِ فِي الْبَيْعِ

2202 ـ **حدّثنا** مُحَمَّدُ بْنُ أَبَانٍ الْبَلْخِيُّ أَبُو بَكْرٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنْ يُونُسَ بْنِ عُبَيْدٍ، عَنْ عَطَاءِ بْنِ فَرُّوخَ؛ قَالَ: قَالَ عُثْمَانُ بْنُ عَفَّانَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَدْخَلَ اللَّهُ الْجَنَّةَ رَجُلاً كَانَ سَهْلاً، بَائِعاً وَمُشْتَرِياً»**.

2203 ـ **حدّثنا** عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرِ بْنِ دِينَارٍ الْحِمْصِيُّ. حَدَّثَنَا أَبِي. حَدَّثَنَا أَبُو غَسَّانَ مُحَمَّدُ بْنُ مُطَرِّفٍ، عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«رَحِمَ اللَّهُ عَبْداً سَمْحاً إِذَا بَاعَ. سَمْحاً إِذَا اشْتَرَى. سَمْحاً إِذَا اقْتَضَى»**.

29 ـ بَابُ السَّوْمِ

2204 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا يَعْلَى بْنُ شَبِيبٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُثْمَانَ بْنِ خُثَيْمٍ، عَنْ قَيْلَةَ أُمِّ بَنِي أَنْمَارٍ؛ قَالَتْ: أَتَيْتُ رَسُولَ اللَّهِ ﷺ فِي بَعْضِ عُمَرِهِ عِنْدَ الْمَرْوَةِ. فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنِّي امْرَأَةٌ أَبِيعُ وَأَشْتَرِي. فَإِذَا أَرَدْتُ أَنْ أَبْتَاعَ الشَّيْءَ سُمْتُ بِهِ أَقَلَّ مِمَّا أُرِيدُ. ثُمَّ زِدْتُ، ثُمَّ زِدْتُ حَتَّى أَبْلُغَ الَّذِي أُرِيدُ. وَإِذَا أَرَدْتُ أَنْ أَبِيعَ الشَّيْءَ سُمْتُ بِهِ أَكْثَرَ مِنَ الَّذِي أُرِيدُ. ثُمَّ وَضَعْتُ حَتَّى أَبْلُغَ الَّذِي أُرِيدُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَفْعَلِي يَا قَيْلَةُ إِذَا أَرَدْتِ أَنْ تَبْتَاعِي شَيْئاً فَاسْتَامِي بِهِ الَّذِي تُرِيدِينَ. أُعْطِيتِ أَوْ مُنِعْتِ»**. فَقَالَ: **«إِذَا أَرَدْتِ أَنْ تَبِيعِي شَيْئاً فَاسْتَامِي بِهِ الَّذِي تُرِيدِينَ. أَعْطَيْتِ أَوْ مَنَعْتِ»**.

not do so O Qailah! If you like to buy a thing, propose to buy it with the same price you want to afford for it, whether you are given it or it is withheld from you; and if you like to sell a thing, propose to sell it with the same price you want to have, whether it is given or withheld."

2205- It is narrated on the authority of Jabir Ibn Abdullah that he said: I was in the company of the Messenger of Allah "Allah's blessing and peace be upon him" in a certain holy battle when he said to me: "Would you sell me this watering camel of yours for a single Dinar, might Allah forgive for you?" I said: "O Messenger of Allah! It is yours once I arrive in Medina." He further said: "Then, would you sell it for two Dinars, might Allah forgive for you?" he kept rising the price for me Dinar by Dinar, saying with everyone: "Might Allah forgive for you" until he made it twenty Dinars. When I arrived in Medina, I caught hold of the head of the watering camel and brought it to the Messenger of Allah "Allah's blessing and peace be upon him", who said (to Bilal): "Give him twenty Dinars from the booty." He said to me: "Go with your watering camel to your family."

2206- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (the people to engage in) haggling before the rise of the sun, and (he further forbade) slaughtering the milch animals.

[30] It Is Hateful To Take Oaths In Transactions

2207- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "There are three persons whom Allah will never speak with on the Day of Judgement, nor will He look at, nor will He purify and theirs shall be a severe punishment. They are: A man possesses superfluous water on a way, which he withholds from wayfarers; a man displays his goods for sale after the Asr prayer and he takes an oath By Allah that he has bought it for such and such (money), and somebody believes him (and buys that), even though he has told a lie; and a man who gives a pledge of allegiance to a ruler and he gives it only for worldly benefits. If the ruler gives him something he proves true to his pledge to him, and if the ruler withholds something from him, he retracts from his allegiance to him."

2208- It is narrated on the authority of Abu Dharr that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There are three persons whom Allah will never speak with on the Day of Judgement, nor will He look at, nor will He purify and theirs shall be a severe punishment." I said: "Who are those O Messenger of Allah? Let them fail and lose (the

2205 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنِ الْجُرَيْرِيِّ، عَنْ أَبِي نَضْرَةَ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: كُنْتُ مَعَ النَّبِيِّ ﷺ فِي غَزْوَةٍ. فَقَالَ لِي: **«أَتَبِيعُ نَاضِحَكَ هٰذَا بِدِينَارٍ، وَاللَّهُ يَغْفِرُ لَكَ؟»** قُلْتُ: يَا رَسُولَ اللَّهِ هُوَ نَاضِحُكُمْ إِذَا أَتَيْتُ الْمَدِينَةَ. قَالَ: **«فَتَبِيعُهُ بِدِينَارَيْنِ، وَاللَّهُ يَغْفِرُ لَكَ»**. قَالَ: فَمَا زَالَ يَزِيدُنِي دِينَاراً دِينَاراً وَيَقُولُ، مَكَانَ كُلِّ دِينَارٍ: **«وَاللَّهُ يَغْفِرُ لَكَ»** حَتَّى بَلَغَ عِشْرِينَ دِينَاراً. فَلَمَّا أَتَيْتُ الْمَدِينَةَ أَخَذْتُ بِرَأْسِ النَّاضِحِ فَأَتَيْتُ بِهِ النَّبِيَّ ﷺ فَقَالَ: **«يَا بِلَالُ أَعْطِهِ مِنَ الْغَنِيمَةِ عِشْرِينَ دِينَاراً»**، وَقَالَ: **«انْطَلِقْ بِنَاضِحِكَ فَاذْهَبْ بِهِ إِلَى أَهْلِكَ»**.

2206 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَسَهْلُ بْنُ أَبِي سَهْلٍ. قَالاَ: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَىٰ. أَنْبَأَنَا الرَّبِيعُ بْنُ حَبِيبٍ، عَنْ نَوْفَلِ بْنِ عَبْدِ الْمَلِكِ، عَنْ أَبِيهِ، عَنْ عَلِيٍّ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنِ السَّوْمِ قَبْلَ طُلُوعِ الشَّمْسِ. وَعَنْ ذَبْحِ ذَوَاتِ الدَّرِّ.

30 ـ بابُ ما جَاءَ في كَرَاهِيَةِ الأَيْمَانِ في الشِّرَاءِ والبَيْعِ

2207 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَأَحْمَدُ بْنُ سِنَانٍ. قَالُوا: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«ثَلاَثَةٌ لاَ يُكَلِّمُهُمُ اللَّهُ عَزَّ وَجَلَّ يَوْمَ الْقِيَامَةِ، وَلاَ يَنْظُرُ إِلَيْهِمْ، وَلاَ يُزَكِّيهِمْ، وَلَهُمْ عَذَابٌ أَلِيمٌ: رَجُلٌ عَلَى فَضْلِ مَاءٍ بِالْفَلاَةِ يَمْنَعُهُ ابْنَ السَّبِيلِ. وَرَجُلٌ بَايَعَ رَجُلاً سِلْعَةً بَعْدَ الْعَصْرِ فَحَلَفَ بِاللَّهِ لأَخَذَهَا بِكَذَا وَكَذَا. فَصَدَّقَهُ، وَهُوَ عَلَى غَيْرِ ذٰلِكَ. وَرَجُلٌ بَايَعَ إِمَاماً، لاَ يُبَايِعُهُ إِلاَّ لِدُنْيَا. فَإِنْ أَعْطَاهُ مِنْهَا وَفَىٰ لَهُ، وَإِنْ لَمْ يُعْطِهِ مِنْهَا لَمْ يَفِ لَهُ»**.

2208 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالاَ: حَدَّثَنَا وَكِيعٌ عَنِ الْمَسْعُودِيِّ، عَنْ عَلِيِّ بْنِ مُدْرِكٍ، عَنْ خَرَشَةَ بْنِ الْحُرِّ، عَنْ أَبِي ذَرٍّ، عَنِ النَّبِيِّ ﷺ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ عَلِيِّ بْنِ مُدْرِكٍ، عَنْ أَبِي زُرْعَةَ بْنِ عَمْرِو بْنِ جَرِيرٍ، عَنْ خَرَشَةَ بْنِ الْحُرِّ، عَنْ أَبِي ذَرٍّ، عَنِ النَّبِيِّ ﷺ قَالَ: **«ثَلاَثَةٌ لاَ يُكَلِّمُهُمُ اللَّهُ يَوْمَ الْقِيَامَةِ وَلاَ يَنْظُرُ إِلَيْهِمْ وَلاَ يُزَكِّيهِمْ وَلَهُمْ عَذَابٌ أَلِيمٌ»** فَقُلْتُ: مَنْ هُمْ؟ يَا رَسُولَ اللَّهِ فَقَدْ خَابُوا وَخَسِرُوا. قَالَ: **«الْمُسْبِلُ**

right way)!" the Messenger of Allah "Allah's blessing and peace be upon him" said: "(Those are) such as makes long his lower garment (dragging on the ground, out of arrogance); such as gives gifts, and then makes reminder of generosity; and such as popularizes his commodities by false oaths."

2209- It is narrated on the authority of Abu Qatadah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Beware of taking oaths in transaction: it might make public (one's goods) but then it deprives (them of blessing)."

[31] When One Sells Pollinated Date-Palms Or A Slave Having Property

2210- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When one buys pollinated date-palms, their fruits should be for the seller unless the purchaser puts the condition that they should be for him."

(...) The same is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

2211- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When one buys pollinated date-palms, their fruits should be for the seller unless the purchaser puts the condition that they should be for him; and when one buys a slave having property, his property should be the portion of the seller, unless the purchaser stipulates that it should be his portion."

2212- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When one sells (pollinated) date-palms and a slave (having property) both (the fruits and the property) should be combined for him."

2213- It is narrated on the authority of Ubadah Ibn As-Samit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" passed the judgement that the fruits of the date-palms should be the portion of such as pollinates them unless the purchaser stipulates that they should be for him; and that the property of the slave should be the portion of the seller unless the purchaser stipulates that it should be his portion.

[32] It Is Forbidden To Sell Fruits Before Their Benefit Seems Evident

2214- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not sell the fruits

إِزَارَهُ، وَالْمَنَّانُ عَطَاءَهُ، وَالْمُنَفِّقُ سِلْعَتَهُ بِالْحَلِفِ الْكَاذِبِ».

2209 ـ **حدّثنا** يَحْيَىٰ بْنُ خَلَفٍ. حَدَّثَنَا عَبْدُ الأَعْلَىٰ. ح وَحَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ سَعِيدِ بْنِ كَعْبِ بْنِ مَالِكٍ، عَنْ أَبِي قَتَادَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِيَّاكُمْ وَالْحَلِفَ فِي الْبَيْعِ. فَإِنَّهُ يُنَفِّقُ ثُمَّ يَمْحَقُ**».

31 ـ بابُ ما جَاءَ فِيمَنْ بَاعَ نَخْلاً مُؤَبَّراً أَوْ عَبْداً له مَالٌ

2210 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ. قَالَ: حَدَّثَنِي نَافِعٌ عَنِ ابْنِ عُمَرَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**مَنِ اشْتَرَى نَخْلاً قَدْ أُبِّرَتْ فَثَمَرَتُهَا لِلْبَائِعِ. إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ**».

حدّثنا مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ، بِنَحْوِهِ.

2211 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ. ح وَحَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، جَمِيعاً عَنِ ابْنِ شِهَابٍ الزُّهْرِيِّ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنِ ابْنِ عُمَرَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَنْ بَاعَ نَخْلاً قَدْ أُبِّرَتْ فَثَمَرَتُهَا لِلَّذِي بَاعَهَا. إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ. وَمَنِ ابْتَاعَ عَبْداً وَلَهُ مَالٌ، فَمَالُهُ لِلَّذِي بَاعَهُ. إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ**».

2212 ـ **حدّثنا** مُحَمَّدُ بْنُ الْوَلِيدِ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ رَبِّهِ بْنِ سَعِيدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: «**مَنْ بَاعَ نَخْلاً وَبَاعَ عَبْداً جَمَعَهُمَا جَمِيعاً**».

2213 ـ **حدّثنا** عَبْدُ رَبِّهِ بْنُ خَالِدٍ النُّمَيْرِيُّ أَبُو الْمُغَلِّسِ. حَدَّثَنَا الْفُضَيْلُ بْنُ سُلَيْمَانَ، عَنْ مُوسَى بْنِ عُقْبَةَ. حَدَّثَنِي إِسْحَاقُ بْنُ يَحْيَىٰ بْنِ الْوَلِيدِ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ؛ قَالَ: قَضَى رَسُولُ اللَّهِ ﷺ بِثَمَرِ النَّخْلِ لِمَنْ أَبَّرَهَا. إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ. وَأَنَّ مَالَ الْمَمْلُوكِ لِمَنْ بَاعَهُ، إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ.

32 ـ بابُ النَّهْيِ عَنْ بَيْعِ الثِّمَارِ قَبْلَ أَنْ يَبْدُوَ صَلاحُها

2214 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «**لاَ تَبِيعُوا الثَّمَرَةَ حَتَّى يَبْدُوَ صَلاَحُهَا**». نَهَىٰ الْبَائِعَ وَالْمُشْتَرِيَ.

until their benefit seems evident (without the danger of being blighted): both the seller and the purchaser are involved in this forbiddance."

2215- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not sell the fruits until their benefit seems evident (without the danger of being blighted)."

2216- It is narrated on the authority of Ibn Juraij from Ata that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the fruits until their benefit would seem evident.

2217- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the fruits until it would seem bright (and ripe), and the grapes until it would blacken (and get ready for being plucked), and the grains (of wheat, parley, etc) until they would become hard (and fitting for being harvested).

[33]What About Selling The Fruits Of The Coming Years; And The Blighted Fruits

2218- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling (the fruits of trees of date-palms of the coming) years.

Comment: (The forbiddance depends upon the fact that in this case, one sells something which has no actual existence once he contracts for the transaction; and thus, it is of those things, whose nature is unknown)

2219- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If one sold fruits (in advance) which then came to be affected by a blight, let him take nothing from the property of his brother (the purchaser): What right then should anyone of you have to take the property of his Muslim brother (seeing that the fruits he sold were blighted)?"

[34] Making Full Both Measure And Weight

2220- It is narrated on the authority of Suwaid Ibn Qais that he said: I and Makhrafah Al-Abdi brought some silk from Hajar, and the Messenger of Allah "Allah's blessing and peace be upon him" came to purchase from us some trousers; and we had a weigher, who did his job of weighing for charge thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "O weigher! Weigh, and make full your weight!"

2215 ـ **حدّثنا** أَحْمَدُ بْنُ عِيسَى الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ، عَنْ يُونُسَ بْنِ يَزِيدَ، عَنِ ابْنِ شِهَابٍ. حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ وَأَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَبِيعُوا الثَّمَرَ حَتَّى يَبْدُوَ صَلاَحُهُ»**.

2216 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، عَنْ جَابِرٍ؛ أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الثَّمَرِ حَتَّى يَبْدُوَ صَلاَحُهُ.

2217 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُثَنَّى. حَدَّثَنَا حَجَّاجٌ. حَدَّثَنَا حَمَّادٌ عَنْ حُمَيْدٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ الثَّمَرَةِ حَتَّى تَزْهُوَ. وَعَنْ بَيْعِ الْعِنَبِ حَتَّى يَسْوَدَّ، وَعَنْ بَيْعِ الْحَبِّ حَتَّى يَشْتَدَّ.

33 ـ بابُ بَيْعِ الثِّمَارِ سِنِينَ والجَائِحَةِ

2218 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ عَنْ حُمَيْدٍ الأَعْرَجِ، عَنْ سُلَيْمَانَ بْنِ عَتِيقٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ السِّنِينَ.

2219 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا يَحْيَى بْنُ حَمْزَةَ. حَدَّثَنَا ثَوْرُ بْنُ يَزِيدَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«مَنْ بَاعَ ثَمَراً فَأَصَابَتْهُ جَائِحَةٌ، فَلاَ يَأْخُذْ مِنْ مَالِ أَخِيهِ شَيْئاً. عَلاَمَ يَأْخُذُ أَحَدُكُمْ مَالَ أَخِيهِ الْمُسْلِمِ؟»**.

34 ـ بابُ الرُّجْحَانِ في الوَزْنِ

2220 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالُوا: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا سُفْيَانُ عَنْ سِمَاكِ بْنِ حَرْبٍ، عَنْ سُوَيْدِ بْنِ قَيْسٍ؛ قَالَ: جَلَبْتُ أَنَا وَمَخْرَفَةُ الْعَبْدِيُّ بَزًّا مِنْ هَجَرَ. فَجَاءَنَا رَسُولُ اللَّهِ ﷺ. فَسَاوَمَنَا سَرَاوِيلَ. وَعِنْدَنَا وَزَّانٌ يَزِنُ بِالأَجْرِ. فَقَالَ لَهُ النَّبِيُّ ﷺ: **«يَا وَزَّانُ زِنْ وَأَرْجِحْ»**.

Comment: (It is well-known fact that the silk was forbidden to men in the world, according to many authentic narrations from the Messenger of Allah "Allah's blessing and peace be upon him"; and the Messenger of Allah "Allah's blessing and peace be upon him" was not to oppose what was forbidden; and this supports the opinion of As-Suyuti in his footnote on Sunan Abu Dawud that although the Messenger of Allah "Allah's blessing and peace be upon him" bought the silk trousers, he did not wear them)

2221- It is narrated on the authority of Abu Malik: Safwan Ibn Umairah that he said: Before Migration, I purchased from the Messenger of Allah "Allah's blessing and peace be upon him" some trousers; and he weighed them and gave me full weight.

2222- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If you weigh (anything for others), you should make full your weight."

[35] The Necessity Of Being Careful In Both Measure And Weight

2223- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came to Medina, and they (its inhabitants) had been the worst from amongst the people to deal with others in fraud concerning measure and weight; and when Allah revealed: "Woe to those that deal in fraud, Those who, when they have to receive by measure, from men, exact full measure, But when they have to give by measure or weight to men, give less than due" (Al-Mutaffifin 1-3) thereupon, they made good their measure and weight.

[36] It Is Forbidden To Cheat (Others)

2224- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came upon a man who was selling food, into which he got his hand, and behold! It was cheated. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as cheats (others) does not belong to us."

2225- It is narrated on the authority of Abu Al-Hamra' that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" having passed by the side of a man who had food in a container, into which he got his hand, and then he said: "Perhaps, you've cheated: no doubt, such as cheats us does not belong to us."

2221 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ، وَمُحَمَّدُ بْنُ الْوَلِيدِ. قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ سِمَاكِ بْنِ حَرْبٍ. قَالَ: سَمِعْتُ مَالِكاً، أَبَا صَفْوَانَ بْنَ عُمَيْرَةَ؛ قَالَ: بِعْتُ مِنْ رَسُولِ اللَّهِ ﷺ رِجْلَ سَرَاوِيلَ قَبْلَ الْهِجْرَةِ. فَوَزَنَ لِي، فَأَرْجَحَ لِي.

2222 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ الصَّمَدِ. حَدَّثَنَا شُعْبَةُ عَنْ مُحَارِبِ بْنِ دِثَارٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا وَزَنْتُمْ فَأَرْجِحُوا»**.

35 ـ بَابُ التَّوَقِّي فِي الكَيْلِ والوَزْنِ

2223 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ بِشْرِ بْنِ الْحَكَمِ، وَمُحَمَّدُ بْنُ عَقِيلِ بْنِ خُوَيْلِدٍ. قَالاَ: حَدَّثَنَا عَلِيُّ بْنُ الْحُسَيْنِ بْنِ وَاقِدٍ. حَدَّثَنِي أَبِي. حَدَّثَنِي يَزِيدُ النَّحْوِيُّ؛ أَنَّ عِكْرِمَةَ حَدَّثَهُ عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: لَمَّا قَدِمَ النَّبِيُّ ﷺ الْمَدِينَةَ كَانُوا مِنْ أَخْبَثِ النَّاسِ كَيْلاً. فَأَنْزَلَ اللَّهُ سُبْحَانَهُ ﴿وَيْلٌ لِّلْمُطَفِّفِينَ﴾ [المطففين: 1] فَأَحْسَنُوا الْكَيْلَ بَعْدَ ذٰلِكَ.

36 ـ بَابُ النَّهْيِ عَنِ الغِشِّ

2224 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ عَنِ الْعَلاَءِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: مَرَّ رَسُولُ اللَّهِ ﷺ بِرَجُلٍ يَبِيعُ طَعَاماً. فَأَدْخَلَ يَدَهُ فِيهِ. فَإِذَا هُوَ مَغْشُوشٌ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«لَيْسَ مِنَّا مَنْ غَشَّ»**.

2225 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو نُعَيْمٍ. حَدَّثَنَا يُونُسُ بْنُ أَبِي إِسْحَاقَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي دَاوُدَ، عَنْ أَبِي الْحَمْرَاءِ؛ قَالَ: رَأَيْتُ رَسُولَ اللَّهِ ﷺ مَرَّ بِجَنَبَاتِ رَجُلٍ عِنْدَهُ طَعَامٌ فِي وِعَاءٍ. فَأَدْخَلَ يَدَهُ فِيهِ. فَقَالَ: **«لَعَلَّكَ غَشَشْتَ؟ مَنْ غَشَّنَا فَلَيْسَ مِنَّا»**.

[37] It Is Forbidden To Sell Food Earlier As Long As It Has Not Yet Been Received (By The Seller)

2226- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who (intends to) sell food, let not him sell it unless he receives it (first)."

2227- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who (intends to) sell food, let not him sell it unless he receives it (first)." Abu Awanah said in his narration that Ibn Abbas commented: I think this applies to all goods.

2228- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade selling food until it (really exists and becomes ready to be measured by) both Sa's: that of the seller (when he receives it), and that of the buyer (when he buys it).

[38] Selling Without Knowing The Amount Of Goods

2229- It is narrated on the authority of Ibn Umar that he said: We used to purchase food from the caravans without measuring, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" forbade us to sell it until we would transfer it from its place (to the market, to be easy to measure and weigh for the buyers).

2230- It is narrated on the authority of Uthman Ibn Affan that he said: I used to sell the dates in the market, and say (to the purchasers): "I have such and such a weight in this Wasaq of mine." In this way, I used to give the Wasaqs of dates (to the purchasers) depending upon their weights (mentioned to me by the first seller from whom I bought them without measuring), and take my profit. I had some doubt in that, and I asked the Messenger of Allah "Allah's blessing and peace be upon him" about that, and he said: "If you assign a certain measure (to the purchaser), then, you should measure it (to be sure of it)."

[39] The Blessing That Is Expected From Measuring Food

2231- It is narrated on the authority of Abdullah Ibn Busr Al-Mazni that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Measure your food, so that you will be blessed in it."

2232- It is narrated on the authority of Abu Ayyub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Measure your food, so that you will be blessed in it."

37 ـ بابُ النَّهْيِ عَنْ بَيْعِ الطَّعَامِ قَبْلَ ما لَمْ يُقْبَضْ

2226 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَنِ ابْتَاعَ طَعَاماً، فَلاَ يَبِعْهُ حَتَّى يَسْتَوْفِيَهُ»**.

2227 ـ **حدّثنا** عِمْرَانُ بْنُ مُوسَى اللَّيْثِيُّ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ. ح وَحَدَّثَنَا بِشْرُ بْنُ مُعَاذٍ الضَّرِيرُ. حَدَّثَنَا أَبُو عَوَانَةَ وَحَمَّادُ بْنُ زَيْدٍ. قَالاَ: حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنِ ابْتَاعَ طَعَاماً فَلاَ يَبِعْهُ حَتَّى يَسْتَوْفِيَهُ»**.

قَالَ أَبُو عَوَانَةَ، فِي حَدِيثِهِ: قَالَ ابْنُ عَبَّاسٍ: وَأَحْسِبُ كُلَّ شَيْءٍ مِثْلَ الطَّعَامِ.

2228 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ عَنِ ابْنِ أَبِي لَيْلَى، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ؛ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الطَّعَامِ حَتَّى يَجْرِيَ فِيهِ الصَّاعَانِ. صَاعُ الْبَائِعِ وَصَاعُ الْمُشْتَرِي.

38 ـ بابُ بَيْعِ المُجَازَفَةِ

2229 ـ **حدّثنا** سَهْلُ بْنُ أَبِي سَهْلٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ عَنْ عُبَيْدِ اللَّهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: كُنَّا نَشْتَرِي الطَّعَامَ مِنَ الرُّكْبَانِ جِزَافاً. فَنَهَانَا رَسُولُ اللَّهِ ﷺ أَنْ نَبِيعَهُ حَتَّى نَنْقُلَهُ مِنْ مَكَانِهِ.

2230 ـ **حدّثنا** عَلِيُّ بْنُ مَيْمُونٍ الرَّقِّيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يَزِيدَ عَنِ ابْنِ لَهِيعَةَ، عَنْ مُوسَى بْنِ وَرْدَانَ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ عُثْمَانَ بْنِ عَفَّانَ؛ قَالَ: كُنْتُ أَبِيعُ التَّمْرَ فِي السُّوقِ. فَأَقُولُ: كِلْتُ فِي وَسْقِي هٰذَا كَذَا. فَأَدْفَعُ أَوْسَاقَ التَّمْرِ بِكَيْلِهِ وَآخُذُ ثَمَنِي. فَدَخَلَنِي مِنْ ذٰلِكَ شَيْءٌ. فَسَأَلْتُ رَسُولَ اللَّهِ ﷺ فَقَالَ: **«إِذَا سَمَّيْتَ الْكَيْلَ فَكِلْهُ»**.

39 ـ بابُ ما يُرْجَى في كَيْلِ الطَّعَامِ مِنَ البَرَكَةِ

2231 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ الْيَحْصِبِيُّ عَنْ عَبْدِ اللَّهِ بْنِ بُسْرٍ الْمَازِنِيِّ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«كِيلُوا طَعَامَكُمْ يُبَارَكْ لَكُمْ فِيهِ»**.

2232 ـ **حدّثنا** عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرِ بْنِ دِينَارٍ الْحِمْصِيُّ. حَدَّثَنَا بَقِيَّةُ بْنُ الْوَلِيدِ عَنْ بَحِيرِ بْنِ سَعِيدٍ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ، عَنْ أَبِي أَيُّوبَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«كِيلُوا طَعَامَكُمْ يُبَارَكْ لَكُمْ فِيهِ»**.

[40] What About Markets

2233- It is narrated on the authority of Abu Usaid that the Messenger of Allah "Allah's blessing and peace be upon him" went to the Market of Nabidh (brew) and caught a glimpse of it and said: "This market is not fitting for you." Then, he went to another market and caught a glimpse of it and said: "This market is not fitting for you." Then, he returned to this market and had a tour in it, and then said: "This is your market: let not it be cancelled, and let no tax be imposed on it."

2234- It is narrated on the authority of Salman that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who comes out in the morning to attend the Morning prayer has, indeed, came out with the flag of faith; and he, who comes out in the morning to the market has, indeed, come out with the flag of Iblis."

2235- It is narrated on the authority of Salim Ibn Abdullah Ibn Umar from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who says once he enters the market: "There is no god (to be worshipped) but Allah, the One and Only, with Whom there is no partner: His is the Dominion, and to Him be the praise; and He gives life (to such as He pleases), as well as He calls to death (such as He pleases): and He is Ever-Living, and He never dies: in His hand is all good, and He has power over all things", Allah writes for him one thousand thousand good deeds, plots out from him one thousand thousand evil deeds, and He further constructs for him a house in the Garden."

[41] The Blessing That Is Expected From Coming Out Early In The Morning

2236- It is narrated on the authority of Sakhr Al-Ghamidi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O Allah! Send Your Blessing upon my nation as long as they always come out early in the morning!" however, whenever the Messenger of Allah "Allah's blessing and peace be upon him" sent a detachment or an army, he would send it early in the first portion of the day. Sakhr (the narrator of this Hadith) was a trader, and he used to send his merchandise in the first portion of the day, with the result that he became rich with more property.

2237- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O Allah! Send Your Blessing upon my nation as long as they always come out early in the morning on Thursday!"

40 ـ بابُ الأَسْوَاقِ ودُخُولِهَا

2233 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ بْنِ سَعِيدٍ. حَدَّثَنِي صَفْوَانُ بْنُ سُلَيْمٍ. حَدَّثَنِي مُحَمَّدٌ وَعَلِيٌّ. أَنْبَأَنَا الْحَسَنُ بْنُ أَبِي الْحَسَنِ الْبَرَّادُ؛ أَنَّ الزُّبَيْرَ بْنَ الْمُنْذِرِ بْنِ أَبِي أُسَيْدٍ السَّاعِدِيِّ، حَدَّثَهُمَا أَنَّ أَبَاهُ الْمُنْذِرَ حَدَّثَهُ عَنْ أَبِي أُسَيْدٍ أَنَّ أَبَا أُسَيْدٍ حَدَّثَهُ؛ أَنَّ رَسُولَ اللَّهِ ﷺ ذَهَبَ إِلَى سُوقِ النَّبِيطِ. فَنَظَرَ إِلَيْهِ، فَقَالَ: «**لَيْسَ هٰذَا لَكُمْ بِسُوقٍ**» ثُمَّ ذَهَبَ إِلَى سُوقٍ. فَنَظَرَ إِلَيْهِ فَقَالَ: «**لَيْسَ هٰذَا لَكُمْ بِسُوقٍ**» ثُمَّ رَجَعَ إِلَى هٰذَا السُّوقِ فَطَافَ فِيهِ ثُمَّ قَالَ: «**هٰذَا سُوقُكُمْ. فَلاَ يُنْتَقَصَنَّ وَلاَ يُضْرَبَنَّ عَلَيْهِ خَرَاجٌ**».

2234 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُسْتَمِرِّ الْعُرُوقِيُّ. حَدَّثَنَا أَبِي. حَدَّثَنَا عِيسَى بْنُ مَيْمُونٍ. حَدَّثَنَا عَوْنٌ الْعُقَيْلِيُّ، عَنْ أَبِي عُثْمَانَ النَّهْدِيِّ، عَنْ سَلْمَانَ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ غَدَا إِلَى صَلاَةِ الصُّبْحِ، غَدَا بِرَايَةِ الإِيمَانِ. وَمَنْ غَدَا إِلَى السُّوقِ، غَدَا بِرَايَةِ إِبْلِيسَ**».

2235 ـ **حدّثنا** بِشْرُ بْنُ مُعَاذٍ الضَّرِيرُ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ عَمْرِو بْنِ دِينَارٍ، مَوْلَى آلِ الزُّبَيْرِ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ قَالَ حِينَ يَدْخُلُ السُّوقَ: لاَ إِلٰهَ إِلاَّ اللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ. لَهُ الْمُلْكُ وَلَهُ الْحَمْدُ يُحْيِي وَيُمِيتُ، وَهُوَ حَيٌّ لاَ يَمُوتُ. بِيَدِهِ الْخَيْرُ كُلُّهُ وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ؛ كَتَبَ اللَّهُ لَهُ أَلْفَ أَلْفِ حَسَنَةٍ، وَمَحَا عَنْهُ أَلْفَ أَلْفِ سَيِّئَةٍ. وَبَنَى لَهُ بَيْتاً فِي الْجَنَّةِ**».

41 ـ بابُ ما يُرْجَى مِنَ البَرَكَةِ في البُكُورِ

2236 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا هُشَيْمٌ عَنْ يَعْلَى بْنِ عَطَاءٍ، عَنْ عُمَارَةَ بْنِ حَدِيدٍ، عَنْ صَخْرٍ الْغَامِدِيِّ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّهُمَّ بَارِكْ لِأُمَّتِي فِي بُكُورِهَا**».

قَالَ: وَكَانَ إِذَا بَعَثَ سَرِيَّةً أَوْ جَيْشاً، بَعَثَهُمْ فِي أَوَّلِ النَّهَارِ.

قَالَ: وَكَانَ صَخْرٌ رَجُلاً تَاجِراً. فَكَانَ يَبْعَثُ تِجَارَتَهُ فِي أَوَّلِ النَّهَارِ فَأَثْرَى وَكَثُرَ مَالُهُ.

2237 ـ **حدّثنا** أَبُو مَرْوَانَ مُحَمَّدُ بْنُ عُثْمَانَ الْعُثْمَانِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ مَيْمُونٍ الْمَدَنِيُّ عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي الزِّنَادِ، عَنْ أَبِيهِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّهُمَّ بَارِكْ لِأُمَّتِي فِي بُكُورِهَا يَوْمَ الْخَمِيسِ**».

2238- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O Allah! Send Your Blessing upon my nation as long as they always come out early in the morning!"

[42] Selling The Animals Without Being Milked For A Long Time

2239- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who buys an animal which has not been milked for a long time, has a three-day freedom to choose (to keep or return it); and in case he returns it (after milking it), he should return a Sa' of dates not wheat with it."

2240- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O people! Whoever buys an animal whose breast is full of milk (on account of being not milked for a long time) has a three-day freedom to choose (to keep or return it); and in case he returns it, he should return with it the like of the milk (he has got from) it (or said an amount of wheat equal in value to the milk he has got from it)."

2241- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: I bear testimony that the true and Truly inspired (the Messenger of Allah "Allah's blessing and peace be upon him") said: "Selling the animal whose breast is full of milk (on account of being left without milking for a long time) is out of cheating; and no doubt, cheating is unlawful for a Muslim."

[43] The Income Tax Is Due On Account Of Surety

2242- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" passed a judgement that the income tax imposed upon a slave is due (to such as possesses him) on account of being in his surety.

2243- It is narrated on the authority of A'ishah that once a man bought a slave and made use of him (for some time after which) he detected a defect in him, thereupon he returned him. On that he (the seller) said: "O Messenger of Allah! He has made use of my slave (for a long time)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the income tax is (due to such as possesses the slave) on account of being in his surety."

[44] The Right Of Returning Back The Slaves

2244- It is narrated on the authority of Samurah Ibn Jundub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said:

2238 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا إِسْحَاقُ بْنُ جَعْفَرِ بْنِ مُحَمَّدِ بْنِ عَلِيِّ بْنِ الْحُسَيْنِ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي بَكْرٍ الْجَدْعَانِيِّ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**اللَّهُمَّ بَارِكْ لِأُمَّتِي فِي بُكُورِهَا**».

42 ـ بابُ بَيْعِ المُصَرَّاةِ

2239 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا أَبُو أُسَامَةَ عَنْ هِشَامِ بْنِ حَسَّانٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنِ ابْتَاعَ مُصَرَّاةً، فَهُوَ بِالْخِيَارِ ثَلاَثَةَ أَيَّامٍ. فَإِنْ رَدَّهَا، رَدَّ مَعَهَا صَاعاً مِنْ تَمْرٍ، لاَ سَمْرَاءَ**» يَعْنِي الْحِنْطَةَ.

2240 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ. حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ. حَدَّثَنَا صَدَقَةُ بْنُ سَعِيدٍ الْحَنَفِيُّ. حَدَّثَنَا جُمَيْعُ بْنُ عُمَيْرٍ التَّيْمِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**يَا أَيُّهَا النَّاسُ مَنْ بَاعَ مُحَفَّلَةً فَهُوَ بِالْخِيَارِ ثَلاَثَةَ أَيَّامٍ. فَإِنْ رَدَّهَا، رَدَّ مَعَهَا مِثْلَيْ لَبَنِهَا**» أَوْ قَالَ: «**مِثْلَ لَبَنِهَا قَمْحاً**».

2241 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا الْمَسْعُودِيُّ عَنْ جَابِرٍ، عَنْ أَبِي الضُّحَى، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ أَنَّهُ قَالَ: أَشْهَدُ عَلَى الصَّادِقِ الْمَصْدُوقِ أَبِي الْقَاسِمِ ﷺ أَنَّهُ حَدَّثَنَا، قَالَ: «**بَيْعُ الْمُحَفَّلاَتِ خِلاَبَةٌ. وَلاَ تَحِلُّ الْخِلاَبَةُ لِمُسْلِمٍ**».

43 ـ بابُ «الخَرَاجُ بالضَّمَانِ»

2242 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ عَنِ ابْنِ أَبِي ذِئْبٍ عَنْ مَخْلَدِ بْنِ خُفَافِ بْنِ إِيمَاءَ بْنِ رَحَضَةَ الْغِفَارِيِّ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَضَى أَنَّ خَرَاجَ الْعَبْدِ بِضَمَانِهِ.

2243 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا مُسْلِمُ بْنُ خَالِدٍ الزَّنْجِيُّ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ أَنَّ رَجُلاً اشْتَرَى عَبْداً فَاسْتَغَلَّهُ. ثُمَّ وَجَدَ بِهِ عَيْباً فَرَدَّهُ. فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّهُ قَدِ اسْتَغَلَّ غُلاَمِي. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**الْخَرَاجُ بِالضَّمَانِ**».

44 ـ بابُ عُهْدَةِ الرَّقِيقِ

2244 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ إِنْ شَاءَ اللَّهُ، عَنْ سَمُرَةَ بْنِ جُنْدُبٍ؛ قَالَ: رَسُولُ

"The right of returning back the slaves is effective for (no more than) three days" (during which the purchaser can return the slave to the seller once he finds out a defect in him)."

2245- It is narrated on the authority of Uqbah Ibn Amir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no right of returning back (the slaves one buys) after three (days)."

[45] If One Sells A Defective Thing, Let Him Show It

2246- It is narrated on the authority of Uqbah Ibn Amir that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The Muslim is the brother (in the religion of Allah) to the Muslim: no doubt, it is unlawful for a Muslim to sell a thing in which there is a defect to his Muslim brother without showing it to him."

2247- It is narrated on the authority of Wathilah Ibn Al-Asqa' that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who sells (a thing in which there is) a defect, which he does not show, he will incur Allah's Displeasure upon him; and the angels will keep cursing him."

[46] It Is Forbidden To Separate The Captives (Of One Family)

2248- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: Whenever captives were brought to the Messenger of Allah "Allah's blessing and peace be upon him" (so as to distribute them), he would make all (the members of the family be the lot of) one house for his dislike to separate them from one another.

2249- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave me as a gift two boys who were brothers, and I sold one of them. Then, he asked me: "What about the two boys?" I said: "I've sold one of them." On that he ordered me to bring him back.

2250- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed such as parted a mother from her child, or a brother from his brother.

[47] Buying The Slaves

2251- It is narrated on the authority of Abd Al-Majid Ibn Wahb that he said: Al-Adda' Ibn Khalid Ibn Hawdhah said to me: Should I not make you recite a document written for me by (the command of) the Messenger of Allah "Allah's blessing and peace be upon him"? I said: Yes. He brought

اللَّهِ ﷺ: «عُهْدَةُ الرَّقِيقِ ثَلاَثَةُ أَيَّامٍ».

2245 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا هُشَيْمٌ عَنْ يُونُسَ بْنِ عُبَيْدٍ، عَنِ الْحَسَنِ، عَنْ عُقْبَةَ بْنِ عَامِرٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ عُهْدَةَ بَعْدَ أَرْبَعٍ**».

45 ـ بابٌ مَنْ بَاعَ عَيْباً فَلْيُبَيِّنْهُ

2246 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا وَهْبُ بْنُ جَرِيرٍ. حَدَّثَنَا أَبِي: سَمِعْتُ يَحْيَىٰ بْنَ أَيُّوبَ يُحَدِّثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ شُمَاسَةَ، عَنْ عُقْبَةَ بْنِ عَامِرٍ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الْمُسْلِمُ أَخُو الْمُسْلِمِ. وَلاَ يَحِلُّ لِمُسْلِمٍ بَاعَ مِنْ أَخِيهِ بَيْعاً، فِيهِ عَيْبٌ، إِلاَّ بَيَّنَهُ لَهُ**».

2247 ـ **حدّثنا** عَبْدُ الْوَهَّابِ بْنُ الضَّحَّاكِ. حَدَّثَنَا بَقِيَّةُ بْنُ الْوَلِيدِ، عَنْ مُعَاوِيَةَ بْنِ يَحْيَىٰ، عَنْ مَكْحُولٍ وَسُلَيْمَانَ بْنِ مُوسَىٰ، عَنْ وَاثِلَةَ بْنِ الأَسْقَعِ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ بَاعَ عَيْباً لَمْ يُبَيِّنْهُ، لَمْ يَزَلْ فِي مَقْتِ اللَّهِ، وَلَمْ تَزَلِ الْمَلاَئِكَةُ تَلْعَنُهُ**».

46 ـ بابُ النَّهْيِ عَنِ التَّفْرِيقِ بَيْنَ السَّبْيِ

2248 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا سُفْيَانُ عَنْ جَابِرٍ عَنِ الْقَاسِمِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: كَانَ النَّبِيُّ ﷺ، إِذَا أُتِيَ بِالسَّبْيِ، أَعْطَى أَهْلَ الْبَيْتِ جَمِيعاً. كَرَاهِيَةَ أَنْ يُفَرِّقَ بَيْنَهُمْ.

2249 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَفَّانُ عَنْ حَمَّادٍ. أَنْبَأَنَا الْحَجَّاجُ عَنِ الْحَكَمِ، عَنْ مَيْمُونِ بْنِ أَبِي شَبِيبٍ، عَنْ عَلِيٍّ؛ قَالَ: وَهَبَ لِي رَسُولُ اللَّهِ ﷺ غُلاَمَيْنِ أَخَوَيْنِ. فَبِعْتُ أَحَدَهُمَا. فَقَالَ: «**مَا فَعَلَ الْغُلاَمَانِ؟**» قُلْتُ: بِعْتُ أَحَدَهُمَا. قَالَ: «**رُدَّهُ**».

2250 ـ **حدّثنا** مُحَمَّدُ بْنُ عُمَرَ بْنِ الْهَيَّاجِ. حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَىٰ. أَنْبَأَنَا إِبْرَاهِيمُ بْنُ إِسْمَاعِيلَ عَنْ طَلِيقِ بْنِ عِمْرَانَ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَىٰ؛ قَالَ: لَعَنَ رَسُولُ اللَّهِ ﷺ مَنْ فَرَّقَ بَيْنَ الْوَالِدَةِ وَوَلَدِهَا. وَبَيْنَ الأَخِ وَبَيْنَ أَخِيهِ.

47 ـ بابُ شِرَاءِ الرَّقِيقِ

2251 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا عَبَّادُ بْنُ لَيْثٍ، صَاحِبُ الْكَرَابِيسِيِّ. حَدَّثَنَا عَبْدُ الْمَجِيدِ بْنُ وَهْبٍ؛ قَالَ: قَالَ لِي الْعَدَّاءُ بْنُ خَالِدِ بْنِ هَوْذَةَ: أَلاَ نُقْرِئُكَ كِتَاباً كَتَبَهُ لِي رَسُولُ اللَّهِ ﷺ؟ قَالَ، قُلْتُ: بَلَىٰ. فَأَخْرَجَ لِي كِتَاباً. فَإِذَا فِيهِ: «**هٰذَا مَا**

out a document, and behold! There was (the following): "This is what Al-Adda' Ibn Khalid Ibn Hawdhah bought from Muhammad, the Messenger of Allah "Allah's blessing and peace be upon him": (he bought) a slave or a slave-girl; and there is no visible defect in body and character, nor hidden blemish (in manners and conduct), nor there is (anything in this transaction) unlawful: as such a transaction between a Muslim and another should be."

2252- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you buys a slave-girl, let him say: "O Allah! I ask You (to make me benefit from) her goodness, and the best (conduct) on which You have created her; and I seek refuge with You from her evil, and from the worst (conduct) on which You have created her"; and let him further invoke for (Allah's) Blessing; and when anyone of you buys a camel, let him catch hold of the upper portion of its hump, and invoke for (Allah's) Blessing, and say the same."

[48] What About Exchange

2253- It is narrated on the authority of Umar Ibn Al-Khattab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The (exchange of) gold for gold (is usury) except if it is from hand to hand (and equal in amount); and wheat grain for wheat grain (is usury) except if it is from hand to hand (and equal in amount); and dates for dates (is usury) except if it is from hand to hand (and equal in amount); and barley for barley (is usury) except if it is from hand to hand (and equal in amount)."

2254- It is narrated on the authority of both Muslim Ibn Yasar and Abdullah Ibn Ubaid that they said: Both Ubadah Ibn As-Samit and Mu'awiyah met in a gathering, whether in a church or in a synagogue, and Ubadah Ibn As-Samit said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to sell silver for silver, gold for gold, wheat for wheat, parley for parley, and dates for dates (One of both (narrators) said: "And further salt for salt" and the other did not say that) and he (the Prophet) permitted us to sell wheat for parley, or parley for wheat, from hand to hand, as we like."

2255- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Silver (might be sold) for silver, gold for gold, parley for parley, and wheat for wheat, but like by like (on the spot)."

2256- It is narrated on the authority of Abu Sa'id that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to give

اشْتَرَى الْعَدَّاءُ بْنُ خَالِدِ بْنِ هَوْذَةَ مِنْ مُحَمَّدٍ رَسُولِ اللَّهِ ﷺ. اشْتَرَى مِنْهُ عَبْداً أَوْ أَمَةً. لاَ دَاءَ وَلاَ غَائِلَةَ وَلاَ خِبْثَةَ. بَيْعَ الْمُسْلِمِ لِلْمُسْلِمِ».

2252 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنِ ابْنِ عَجْلاَنَ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا اشْتَرَى أَحَدُكُمُ الْجَارِيَةَ فَلْيَقُلْ: اللَّهُمَّ إِنِّي أَسْأَلُكَ خَيْرَهَا وَخَيْرَ مَا جَبَلْتَهَا عَلَيْهِ. وَأَعُوذُ بِكَ مِنْ شَرِّهَا وَشَرِّ مَا جَبَلْتَهَا عَلَيْهِ. وَلْيَدْعُ بِالْبَرَكَةِ. وَإِذَا اشْتَرَى أَحَدُكُمْ بَعِيراً فَلْيَأْخُذْ بِذِرْوَةِ سِنَامِهِ وَلْيَدْعُ بِالْبَرَكَةِ وَلْيَقُلْ مِثْلَ ذٰلِكَ».**

48 ـ بابُ الصَّرْفِ وما لا يَجُوزُ مُتَفَاضِلاً يَداً بِيَدٍ

2253 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وهِشَامُ بْنُ عَمَّارٍ، ونَصْرُ بْنُ عَلِيٍّ، ومُحَمَّدُ بْنُ الصَّبَّاحِ. قَالُوا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، عَنْ مَالِكِ بْنِ أَوْسِ بْنِ الْحَدَثَانِ النَّصْرِيِّ؛ قَالَ: سَمِعْتُ عُمَرَ بْنَ الْخَطَّابِ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الذَّهَبُ بِالذَّهَبِ رِباً إِلاَّ هَاءَ وَهَاءَ. وَالْبُرُّ بِالْبُرِّ رِباً إِلاَّ هَاءَ وَهَاءَ. وَالشَّعِيرُ بِالشَّعِيرِ رِباً إِلاَّ هَاءَ وَهَاءَ. وَالتَّمْرُ بِالتَّمْرِ رِباً إِلاَّ هَاءَ وَهَاءَ».**

2254 ـ **حدّثنا** حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ خَالِدِ بْنِ خِدَاشٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ؛ قَالاَ: حَدَّثَنَا سَلَمَةُ بْنُ عَلْقَمَةَ التَّمِيمِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ سِيرِينَ؛ أَنَّ مُسْلِمَ بْنَ يَسَارٍ وَعَبْدَ اللَّهِ بْنَ عُبَيْدٍ حَدَّثَاهُ؛ قَالاَ: جَمَعَ الْمَنْزِلُ بَيْنَ عُبَادَةَ بْنِ الصَّامِتِ وَمُعَاوِيَةَ. إِمَّا فِي كَنِيسَةٍ وَإِمَّا فِي بِيعَةٍ. فَحَدَّثَهُمْ عُبَادَةُ بْنُ الصَّامِتِ فَقَالَ: نَهَانَا رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْوَرِقِ بِالْوَرِقِ، وَالذَّهَبِ بِالذَّهَبِ، وَالْبُرِّ بِالْبُرِّ، وَالشَّعِيرِ بِالشَّعِيرِ، وَالتَّمْرِ بِالتَّمْرِ (قَالَ أَحَدُهُمَا: وَالْمِلْحِ بِالْمِلْحِ. وَلَمْ يَقُلْهُ الآخَرُ) وَأَمَرَنَا أَنْ نَبِيعَ الْبُرَّ بِالشَّعِيرِ، وَالشَّعِيرَ بِالْبُرِّ يَداً بِيَدٍ، كَيْفَ شِئْنَا.

2255 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَعْلَى بْنُ عُبَيْدٍ. حَدَّثَنَا فُضَيْلُ بْنُ غَزْوَانَ عَنِ ابْنِ أَبِي نُعْمٍ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«الْفِضَّةُ بِالْفِضَّةِ وَالذَّهَبُ بِالذَّهَبِ وَالشَّعِيرُ بِالشَّعِيرِ وَالْحِنْطَةُ بِالْحِنْطَةِ، مِثْلاً بِمِثْلٍ».**

2256 ـ **حدّثنا** أَبُو كُرَيْبٍ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي سَعِيدٍ؛ قَالَ: كَانَ النَّبِيُّ ﷺ يَرْزُقُنَا تَمْراً مِنْ تَمْرِ الْجَمْعِ.

us out of the dates of different mixtures, which we would exchange for a better kind, and raise its price, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not fitting to sell a Sa' of dates for two, nor (to exchange) a Dirham for two: the Dirham (should be exchanged) for a Dirham, a Dinar for a Dinar, with no (difference on account of) superiority between them except in weight."

[49] What About The Opinion That There Is No Usury (In Money Exchange) Except When It Is Done On Credit

2257- It is narrated on the authority of Abu Sa'id Al-Khudri: "Selling a Dinar for a Dinar and a Dirham for a Dirham (is permissible)." It was said to him: "But Ibn Abbas does not say the same." Abu Sa'id replied: "I asked Ibn Abbas whether he had heard it from The Prophet or seen it in the Holy Book. Ibn Abbas replied: "I do not claim that I have found it in Allah's Holy Book, nor have I heard it from Allah's Apostle "Allah's blessing and peace be upon him", but Usamah Ibn Zaid informed me that The Prophet "Allah's blessing and peace be upon him" had said: "There is no usury (in money exchange) except when it is done on credit."" (That is, not from hand to hand with the result that there is delay in payment).

2258- It is narrated on the authority of Abu Al-Jawza' that he said: I heard that he (Ibn Abbas) made permissible (for the people) to exchange (money for money, gold for gold, etc with no necessity for being from hand to hand nor like by like), and the people narrated that from him. Later on, I was reported that he had retracted (from that opinion). When I met him in Mecca, I said to him: "I was reported that you had retracted (from your opinion)." On that he said: "Yes: this (old statement) was (no more than) an opinion of mine; and this is Abu Sa'id: he relates from the Messenger of Allah "Allah's blessing and peace be upon him" that he forbade the exchange (of gold for gold, silver for silver, etc unless it is from hand to hand, on the spot, like by like)."

[50] The Exchange Of Gold For Silver

2259- It is narrated on the authority of Umar that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "(The barter of) gold for silver is usury, unless it is on the spot." Abu Bakr Ibn Abu Shaibah said: I heard Sufyan saying: Gold for silver: retain it in memory.

2260- It is narrated on the authority of Malik Ibn Aws Ibn Al-Hadthan that he said: I came saying: Who could exchange (my gold Dinars for) Dirhams? Talhah Ibn Ubaidullah, who was sitting with Umar Ibn Al-Khattab, said: "Show us your (Dinars of) gold! (He took it and then said)

فَنَسْتَبْدِلُ بِهِ تَمْراً هُوَ أَطْيَبُ مِنْهُ وَنَزِيدُ فِي السِّعْرِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَصْلُحُ صَاعُ تَمْرٍ بِصَاعَيْنِ، وَلاَ دِرْهَمٌ بِدِرْهَمَيْنِ. وَالدِّرْهَمُ بِالدِّرْهَمِ وَالدِّينَارُ بِالدِّينَارِ. وَلاَ فَضْلَ بَيْنَهُمَا إِلاَّ وَزْناً**».

49 ـ بَابُ مَنْ قَالَ لا رِبَا إِلاَّ فِي النَّسِيئَةِ

2257 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيَّ يَقُولُ: الدِّرْهَمُ بِالدِّرْهَمِ وَالدِّينَارُ بِالدِّينَارِ. فَقُلْتُ: إِنِّي سَمِعْتُ ابْنَ عَبَّاسٍ يَقُولُ غَيْرَ ذٰلِكَ: قَالَ: أَمَا إِنِّي لَقِيتُ ابْنَ عَبَّاسٍ فَقُلْتُ: أَخْبِرْنِي عَنْ هٰذَا الَّذِي تَقُولُ فِي الصَّرْفِ، أَشَيْءٌ سَمِعْتَهُ مِنْ رَسُولِ اللَّهِ ﷺ، أَمْ شَيْءٌ وَجَدْتَهُ فِي كِتَابِ اللَّهِ؟ فَقَالَ: مَا وَجَدْتُهُ فِي كِتَابِ اللَّهِ، وَلاَ سَمِعْتُهُ مِنْ رَسُولِ اللَّهِ. وَلٰكِنْ أَخْبَرَنِي أُسَامَةُ بْنُ زَيْدٍ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِنَّمَا الرِّبَا فِي النَّسِيئَةِ**».

2258 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدَةَ. أَنْبَأَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ سُلَيْمَانَ بْنِ عَلِيٍّ الرِّبْعِيِّ، عَنْ أَبِي الْجَوْزَاءِ؛ قَالَ: سَمِعْتُهُ يَأْمُرُ بِالصَّرْفِ. يَعْنِي ابْنَ عَبَّاسٍ. وَيُحَدِّثُ ذٰلِكَ عَنْهُ. ثُمَّ بَلَغَنِي أَنَّهُ رَجَعَ عَنْ ذٰلِكَ. فَلَقِيتُهُ بِمَكَّةَ فَقُلْتُ: إِنَّهُ بَلَغَنِي أَنَّكَ رَجَعْتَ. قَالَ: نَعَمْ. إِنَّمَا كَانَ ذٰلِكَ رَأْياً مِنِّي. وَهٰذَا أَبُو سَعِيدٍ يُحَدِّثُ عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ نَهَىٰ عَنِ الصَّرْفِ.

50 ـ بَابُ صَرْفِ الذَّهَبِ بِالْوَرِقِ

2259 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، سَمِعَ مَالِكَ بْنَ أَوْسِ بْنِ الْحَدَثَانِ يَقُولُ: سَمِعْتُ عُمَرَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الذَّهَبُ بِالْوَرِقِ رِباً، إِلاَّ هَاءَ وَهَاءَ**».

قَالَ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ: سَمِعْتُ سُفْيَانَ يَقُولُ: الذَّهَبُ بِالْوَرِقِ. احْفَظُوا.

2260 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ مَالِكِ بْنِ أَوْسِ بْنِ الْحَدَثَانِ؛ قَالَ: أَقْبَلْتُ أَقُولُ: مَنْ يَصْطَرِفُ الدَّرَاهِمَ؟ فَقَالَ طَلْحَةُ بْنُ عُبَيْدِ اللَّهِ، وَهُوَ عِنْدَ عُمَرَ بْنِ الْخَطَّابِ: أَرِنَا ذَهَبَكَ. ثُمَّ ائْتِنَا، إِذَا جَاءَ خَازِنُنَا، نُعْطِكَ وَرِقَكَ.

فَقَالَ عُمَرُ: كَلاَّ، وَاللَّهِ، لَتُعْطِيَنَّهُ وَرِقَهُ أَوْ لَتَرُدَّنَّ إِلَيْهِ ذَهَبَهُ. فَإِنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**الْوَرِقُ بِالذَّهَبِ رِباً، إِلاَّ هَاءَ وَهَاءَ**».

Come to us to give you your silver (Dirhams) when our storekeeper comes." On that Umar said: "Nay! By Allah: either you should give him the silver now, otherwise, you should return to him his gold. The Messenger of Allah "Allah's blessing and peace be upon him" said: "(The exchange of) gold for silver is usury unless it is on the spot (from hand to hand).""

2261- It is narrated on the authority of Ali Ibn Abu Talib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(It is permissible to exchange) a Dinar for a Dinar, a Dirham for a Dirham, with no (difference of) superiority between them. Whoever is in need of silver, let him exchange gold for it; and whoever is in need of gold, let him exchange silver for it, provided that the exchange should be on the spot (from hand to hand)."

[51] Taking Silver Instead Of Gold, And Gold Instead Of Silver

2262- It is narrated on the authority of Ibn Umar that he said: I used to sell camels, and take gold in return for silver, and silver in return for gold, Dinars in return for Dirhams, and Dirhams in return for Dinars. I asked the Messenger of Allah "Allah's blessing and peace be upon him" about that, and he said: "If you take any of both and give the other (in return for it), do not leave your companion (with whom you make such exchange) and there is anything (of debt) between you."

(...) The same is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

[52] It Is Forbidden To Break Dinars Or Dirhams

2263- It is narrated on the authority of Alqamah Ibn Abdullah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade breaking the coins current among the Muslims unless there is necessity.

[53] Selling Fresh Dates For Dry Dates

2264- It is narrated on the authority of Zaid Abu Ayyash, a freed slave belonging to Banu Zuhrah that he asked Sa'd Ibn Abu Waqqas about purchasing parley by Sult (a kind of grains between parley and wheat), thereupon Sa'd asked him: "Which of both is better?" he said: "The parley." On that he forbade me to do so and said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said, when he was asked about buying fresh dates by dry dates: "Do the fresh dates decrease after being dried?" they answered in the affirmative, thereupon he forbade it.

2261 ـ **حدّثنا** أَبُو إِسْحَاقَ الشَّافِعِيُّ إِبْرَاهِيمُ بْنُ مُحَمَّدِ بْنِ الْعَبَّاسِ. حَدَّثَنِي أَبِي عَنْ أَبِيهِ الْعَبَّاسِ بْنِ عُثْمَانَ بْنِ شَافِعٍ، عَنْ عُمَرَ بْنِ مُحَمَّدِ بْنِ عَلِيِّ بْنِ أَبِي طَالِبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الدِّينَارُ بِالدِّينَارِ، وَالدِّرْهَمُ بِالدِّرْهَمِ، لاَ فَضْلَ بَيْنَهُمَا. فَمَنْ كَانَتْ لَهُ حَاجَةٌ بِوَرِقٍ، فَلْيَصْطَرِفْهَا بِذَهَبٍ. وَمَنْ كَانَتْ لَهُ حَاجَةٌ بِذَهَبٍ، فَلْيَصْطَرِفْهَا بِالْوَرِقِ. وَالصَّرْفُ هَاءَ وَهَاءَ»**.

51 ـ بابُ اقْتِضَاءِ الذَّهَبِ مِنَ الوَرِقِ والوَرِقِ مِنَ الذَّهَبِ

2262 ـ **حدّثنا** إِسْحَاقُ بْنُ إِبْرَاهِيمَ بْنِ حَبِيبٍ، وَسُفْيَانُ بْنُ وَكِيعٍ، وَمُحَمَّدُ بْنُ عُبَيْدِ بْنِ ثَعْلَبَةَ الْحِمَّانِيُّ. قَالُوا: حَدَّثَنَا عُمَرُ بْنُ عُبَيْدٍ الطَّنَافِسِيُّ. حَدَّثَنَا عَطَاءُ بْنُ السَّائِبِ أَوْ سِمَاكٌ (وَلاَ أَعْلَمُهُ إِلاَّ سِمَاكاً)، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: كُنْتُ أَبِيعُ الإِبِلَ. فَكُنْتُ آخُذُ الذَّهَبَ مِنَ الْفِضَّةِ، وَالْفِضَّةَ مِنَ الذَّهَبِ. وَالدَّنَانِيرَ مِنَ الدَّرَاهِمِ، وَالدَّرَاهِمَ مِنَ الدَّنَانِيرِ. فَسَأَلْتُ النَّبِيَّ ﷺ فَقَالَ: **«إِذَا أَخَذْتَ أَحَدَهُمَا وَأَعْطَيْتَ الآخَرَ، فَلاَ تُفَارِقْ صَاحِبَكَ وَبَيْنَكَ وَبَيْنَهُ لَبْسٌ»**.

حدّثنا يَحْيَى بْنُ حَكِيمٍ. حَدَّثَنَا يَعْقُوبُ بْنُ إِسْحَاقَ. أَنْبَأَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ سِمَاكِ بْنِ حَرْبٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ، نَحْوَهُ.

52 ـ بابُ النَّهْيِ عَنْ كَسْرِ الدَّرَاهِمِ والدَّنَانِيرِ

2263 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَسُوَيْدُ بْنُ سَعِيدٍ، وَهَارُونُ بْنُ إِسْحَاقَ. قَالُوا: أَنْبَأَنَا الْمُعْتَمِرُ بْنُ سُلَيْمَانَ عَنْ مُحَمَّدِ بْنِ فَضَاءٍ، عَنْ أَبِيهِ، عَنْ عَلْقَمَةَ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ كَسْرِ سَكَّةِ الْمُسْلِمِينَ الْجَائِزَةِ بَيْنَهُمْ. إِلاَّ مِنْ بَأْسٍ.

53 ـ بابُ بَيْعِ الرُّطَبِ بالتَّمْرِ

2264 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ وَإِسْحَاقُ بْنُ سُلَيْمَانَ. قَالاَ: حَدَّثَنَا مَالِكُ بْنُ أَنَسٍ عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ، مَوْلَى الأَسْوَدِ بْنِ سُفْيَانَ أَنَّ زَيْداً، أَبَا عَيَّاشٍ، مَوْلَى لِبَنِي زُهْرَةَ، أَخْبَرَهُ أَنَّهُ سَأَلَ سَعْدَ بْنَ أَبِي وَقَّاصٍ عَنِ اشْتِرَاءِ الْبَيْضَاءِ بِالسُّلْتِ. فَقَالَ لَهُ سَعْدٌ: أَيَّتُهُمَا أَفْضَلُ؟ قَالَ: الْبَيْضَاءُ. فَنَهَانِي عَنْهُ وَقَالَ: إِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ سُئِلَ عَنِ اشْتِرَاءِ الرُّطَبِ بِالتَّمْرِ فَقَالَ: **«أَيَنْقُصُ الرُّطَبُ، إِذَا يَبِسَ؟»** قَالُوا: نَعَمْ. فَنَهَى عَنْ ذَلِكَ.

[54] What About Muzabanah And Muhaqalah

2265- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Muzabanah, and Muzabanah is that a man sells the dates of his garden, in case it is of date-palms for measured amount of dry dates; and in case it is of vine for measured amount of raisin; and in case it is of crops, for a measured amount of grains: he (the Prophet) forbade all of that.

2266- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (to rent the field for measured amount of agricultural yields) and Muzabanah (to sell the fresh fruits on the trees for a measured amount of fruits of the same kind).

2267- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade both Muhaqalah (to rent the field for measured amount of agricultural yields) and Muzabanah (to sell the fresh fruits on the trees for a measured amount of fruits of the same kind).

[55] Selling The Date-Palms After Guessing Their Fruits For Dates

2268- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave permission to sell the date-palms (assigned to the poor and indigent after guessing their fruits for measured amount of dates).

2269- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave permission to sell the date-palms (assigned to the poor and indigent) after guessing their fruits for (measured amount of) dates. Yahya says: it is that a man buys the fruits of those date-palms (he granted to a poor or an indigent from him), whose dates are fresh, after estimating their amount, for measured dates, which constitute the foodstuff of his family.

[56] What About Selling Animal For Animal On Credit

2270- It is narrated on the authority of Samurah Ibn Jundub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade selling animal for animal on credit.

2271- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no harm (to sell) animal: one for two provided that it should be from hand to hand." He disliked to have this (operation done) on credit.

54 ـ بابُ المُزَابَنَةِ والمُحَاقَلَةِ

2265 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنِ الْمُزَابَنَةِ. وَالْمُزَابَنَةُ أَنْ يَبِيعَ الرَّجُلُ تَمْرَ حَائِطِهِ، إِنْ كَانَتْ نَخْلاً، بِتَمْرٍ كَيْلاً. وَإِنْ كَانَتْ كَرْماً، أَنْ يَبِيعَهُ بِزَبِيبٍ كَيْلاً. وَإِنْ كَانَتْ زَرْعاً أَنْ يَبِيعَهُ بِكَيْلِ طَعَامٍ. نَهَىٰ عَنْ ذٰلِكَ كُلِّهِ.

2266 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ أَيُّوبَ، عَنْ أَبِي الزُّبَيْرِ؛ وَسَعِيدُ بْنُ مِينَاءَ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَىٰ عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ.

2267 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا أَبُو الأَحْوَصِ عَنْ طَارِقِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ رَافِعِ بْنِ خَدِيجٍ؛ قَالَ: نَهَىٰ رَسُولُ اللَّهِ ﷺ عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ.

55 ـ بابُ بَيْعِ العَرَايَا بِخَرْصِهَا تَمْراً

2268 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ عَنْ سَالِمٍ، عَنْ أَبِيهِ. حَدَّثَنِي زَيْدُ بْنُ ثَابِتٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ رَخَّصَ فِي الْعَرَايَا.

2269 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ يَحْيَىٰ بْنِ سَعِيدٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ؛ أَنَّهُ قَالَ: حَدَّثَنِي زَيْدُ بْنُ ثَابِتٍ أَنَّ رَسُولَ اللَّهِ ﷺ أَرْخَصَ فِي بَيْعِ الْعَرِيَّةِ بِخَرْصِهَا تَمْراً.

قَالَ يَحْيَىٰ: الْعَرِيَّةُ أَنْ يَشْتَرِيَ الرَّجُلُ ثَمَرَ النَّخَلاَتِ بِطَعَامِ أَهْلِهِ رُطَباً، بِخَرْصِهَا تَمْراً.

56 ـ بابُ الحَيَوَانِ بِالحَيَوَانِ نَسِيئَةً

2270 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، عَنْ سَمُرَةَ بْنِ جُنْدَبٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَىٰ عَنْ بَيْعِ الْحَيَوَانِ بِالْحَيَوَانِ نَسِيئَةً.

2271 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ وَأَبُو خَالِدٍ، عَنْ حَجَّاجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ بَأْسَ بِالْحَيَوَانِ، وَاحِداً بِاثْنَيْنِ، يَداً بِيَدٍ**» وَكَرِهَهُ نَسِيئَةً.

[57] What About Selling Animal For Animal With Difference Of Number From Hand To Hand

2272- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" purchased Safiyyah by seven heads from Dihyah Al-Kalbi.

[58] The Severe Punishment Of Usury

2273- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When I was made to go on the Night Journey, I came upon a people, whose bellies looked like houses having female-snakes, which were visible from outside their abdomens. I asked: "Who are those O Gabriel?" he said: "Those are the usury devourers.""

2274- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The usury is (equal in its evil to) seventy sins, the lightest of which is to have sexual relation with one's mother."

2275- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Usury is of seventy-three kinds."

2276- It is narrated on the authority of Umar Ibn Al-Khattab that he said: "The last Holy Verse to be revealed (concerning what is lawful and what is unlawful) was that of usury; and the Messenger of Allah "Allah's blessing and peace be upon him" died before he explained it to us. So, leave (practicing) usury (be it certain or) suspicious."

2277- It is narrated on the authority of Abdullah Ibn Mas'ud that the Messenger of Allah "Allah's blessing and peace be upon him" cursed the usury eater, giver, witness and writer.

2278- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A time will come upon the people, with none of them remains but that he will eat usury; and even whoever does not devour it will be affected by its (widespread) dust."

2279- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is none who increases (his property) out of usury but that his end will be loss."

57 ـ بابُ الحَيَوانِ بالحَيَوانِ مُتَفَاضِلاً يَداً بيَدٍ

2272 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا الْحُسَيْنُ بْنُ عُرْوَةَ. ح وَحَدَّثَنَا أَبُو عُمَرَ حَفْصُ بْنُ عُمَرَ. حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. قَالاَ: حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ ثَابِتٍ، عَنْ أَنَسٍ؛ أَنَّ النَّبِيَّ ﷺ اشْتَرَى صَفِيَّةَ بِسَبْعَةِ أَرْؤُسٍ.

قَالَ عَبْدُ الرَّحْمٰنِ: مِنْ دِحْيَةَ الْكَلْبِيِّ.

58 ـ بابُ التَّغْلِيظِ في الرِّبَا

2273 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا الْحَسَنُ بْنُ مُوسَى، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ عَلِيِّ بْنِ زَيْدٍ، عَنْ أَبِي الصَّلْتِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَتَيتُ، لَيلَةَ أُسْرِيَ بِي، عَلَى قَوْمٍ بُطُونُهُمْ كَالْبُيُوتِ، فِيهَا الْحَيَّاتُ تُرَى مِنْ خَارِجِ بُطُونِهِمْ. فَقُلْتُ: مَنْ هٰؤُلاَءِ يَا جِبْرَائِيلُ؟ قَالَ: هٰؤُلاَءِ أَكَلَةُ الرِّبَا»**.

2274 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ أَبِي مَعْشَرٍ، عَنْ سَعِيدٍ الْمَقْبُرِيِّ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الرِّبَا سَبْعُونَ حُوباً. أَيْسَرُهَا أَنْ يَنْكِحَ الرَّجُلُ أُمَّهُ»**.

2275 ـ **حدّثنا** عَمْرُو بْنُ عَلِيٍّ الصَّيْرَفِيُّ، أَبُو حَفْصٍ. حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ شُعْبَةَ، عَنْ زُبَيْدٍ، عَنْ إِبْرَاهِيمَ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ، عَنِ النَّبِيِّ ﷺ قَالَ: **«الرِّبَا ثَلاَثَةٌ وَسَبْعُونَ بَاباً»**.

2276 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا خَالِدُ بْنُ الْحٰرِثِ. حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ عُمَرَ بْنِ الْخَطَّابِ؛ قَالَ: إِنَّ آخِرَ مَا نَزَلَتْ آيَةُ الرِّبَا. وَإِنَّ رَسُولَ اللَّهِ ﷺ قُبِضَ وَلَمْ يُفَسِّرْهَا لَنَا. فَدَعُوا الرِّبَا وَالرِّيبَةَ.

2277 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ. حَدَّثَنَا سِمَاكُ بْنُ حَرْبٍ؛ قَالَ: سَمِعْتُ عَبْدَ الرَّحْمٰنِ بْنَ عَبْدِ اللَّهِ يُحَدِّثُ عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ لَعَنَ آكِلَ الرِّبَا وَمُوكِلَهُ وَشَاهِدِيهِ وَكَاتِبَهُ.

2278 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ. حَدَّثَنَا دَاوُدُ بْنُ أَبِي هِنْدٍ، عَنْ سَعِيدِ بْنِ أَبِي خَيْرَةَ، عَنِ الْحَسَنِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيَأْتِيَنَّ عَلَى النَّاسِ زَمَانٌ لاَ يَبْقَى مِنْهُمْ أَحَدٌ. إِلاَّ آكِلُ الرِّبَا. فَمَنْ لَمْ يَأْكُلْ، أَصَابَهُ مِنْ غُبَارِهِ»**.

2279 ـ **حدّثنا** الْعَبَّاسُ بْنُ جَعْفَرٍ. حَدَّثَنَا عَمْرُو بْنُ عَوْنٍ. حَدَّثَنَا يَحْيَى بْنُ أَبِي زَائِدٍ، عَنْ إِسْرَائِيلَ، عَنْ دُكَيْنِ بْنِ الرَّبِيعِ بْنِ عُمَيْلَةَ، عَنْ أَبِيهِ، عَنِ ابْنِ مَسْعُودٍ، عَنِ النَّبِيِّ ﷺ قَالَ: **«مَا أَحَدٌ أَكْثَرَ مِنَ الرِّبَا إِلاَّ كَانَ عَاقِبَةُ أَمْرِهِ إِلَى قِلَّةٍ»**.

[59] Payment In Advance Should Be For Concrete Measure And Weight, And Within Fixed Date

2280- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" came to Medina and the people used to pay in advance the price of dates to be delivered within two or three years. The Prophet "Allah's blessing and peace be upon him" said: "Whoever pays money in advance for dates (to be delivered later) should pay it for concrete weight and measure, and within fixed date."

2281- It is narrated on the authority of Abdullah Ibn Salam that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "The sons of so and so embraced Islam, and they belonged to some people of Jews; and they were stricken by starvation, and I fear they might renegade (from Islam because of that)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Who has (such and such food)?" A man from amongst the Jews said: "I have such and such (food)" referring to a thing which he nominated, and I think he said: "(What is equal to) three hundred Dinars at such and such a price, from the garden of the sons of so and so." Allah's Apostle "Allah's blessing and peace be upon him" said: "(Give it in advance) at such and such a price, within such and such a time, but not from the garden of the sons of so and so."

2282- It is narrated on the authority of Abdullah Ibn Abu Al-Mujalid that he said: Both of Abdullah Ibn Shaddad and Abu Burdah argued about the matter of payment in advance, and they sent me to Abdullah Ibn Abu Awfa, and I asked him, thereupon he said: "We used to pay in advance during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", then Abu Bakr and then Umar, (in such goods as) wheat, parley, raisins and dates to a people who had not." I asked Abd Ar-Rahman Ibn Abza, and he concurred.

[60] When One Lends Anything, Let Not Him Change It To Another

2283- It is narrated on the authority of Abu Sa'id that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If you lend anything do not change it to another." (I.e. you should not take another thing in return before receiving that which you have lent)

(...) It is narrated on the authority of Abu Sa'id that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said...and he mentioned the same.

59 ـ بابُ السَّلَفِ في كَيْلٍ مَعْلُومٍ ووَزْنٍ مَعْلُومٍ إلى أَجَلٍ مَعْلُومٍ

2280 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ عَبْدِ اللَّهِ بْنِ كَثِيرٍ، عَنْ أَبِي الْمِنْهَالِ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَدِمَ النَّبِيُّ ﷺ وَهُمْ يُسْلِفُونَ فِي التَّمْرِ، السَّنَتَيْنِ وَالثَّلاَثَ. فَقَالَ: «**مَنْ أَسْلَفَ فِي تَمْرٍ فَلْيُسْلِفْ فِي كَيْلٍ مَعْلُومٍ وَوَزْنٍ مَعْلُومٍ، إِلَى أَجَلٍ مَعْلُومٍ**».

2281 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ، عَنْ مُحَمَّدِ بْنِ حَمْزَةَ بْنِ يُوسُفَ بْنِ عَبْدِ اللَّهِ بْنِ سَلاَّمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ عَبْدِ اللَّهِ بْنِ سَلاَمٍ؛ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ بَنِي فُلاَنٍ أَسْلَمُوا (لِقَوْمٍ مِنَ الْيَهُودِ) وَإِنَّهُمْ قَدْ جَاعُوا. فَأَخَافُ أَنْ يَرْتَدُّوا. فَقَالَ النَّبِيُّ ﷺ: «**مَنْ عِنْدَهُ؟**» فَقَالَ رَجُلٌ مِنَ الْيَهُودِ: عِنْدِي كَذَا وَكَذَا (لِشَيْءٍ قَدْ سَمَّاهُ) أُرَاهُ قَالَ ثَلاَثُمِائَةِ دِينَارٍ بِسِعْرِ كَذَا وَكَذَا مِنْ حَائِطِ بَنِي فُلاَنٍ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**بِسِعْرِ كَذَا وَكَذَا إِلَى أَجَلِ كَذَا وَكَذَا، وَلَيْسَ مِنْ حَائِطِ بَنِي فُلاَنٍ**».

2282 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ وَعَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ. قَالاَ: حَدَّثَنَا شُعْبَةُ (قَالَ يَحْيَى: عَنْ عَبْدِ اللَّهِ بْنِ أَبِي الْمُجَالِدِ. وَقَالَ عَبْدُ الرَّحْمٰنِ: عَنْ أَبِي الْمُجَالِدِ) قَالَ: ابْتَرَى عَبْدُ اللَّهِ بْنُ شَدَّادٍ وَأَبُو بُرْدَةَ فِي السَّلَمِ. فَأَرْسَلُونِي إِلَى عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى. فَسَأَلْتُهُ فَقَالَ: كُنَّا نُسْلِمُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ وَعَهْدِ أَبِي بَكْرٍ وَعُمَرَ فِي الْحِنْطَةِ وَالشَّعِيرِ وَالزَّبِيبِ وَالتَّمْرِ، عِنْدَ قَوْمٍ، مَا عِنْدَهُمْ.

فَسَأَلْتُ ابْنَ أَبْزَى، فَقَالَ مِثْلَ ذٰلِكَ.

60 ـ بابٌ مَنْ أَسْلَمَ في شَيْءٍ فلا يَصْرِفْهُ إلى غَيْرِهِ

2283 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا شُجَاعُ بْنُ الْوَلِيدِ. حَدَّثَنَا زِيَادُ بْنُ خَيْثَمَةَ، عَنْ سَعْدٍ، عَنْ عَطِيَّةَ، عَنْ أَبِي سَعِيدٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا أَسْلَفْتَ فِي شَيْءٍ، فَلاَ تَصْرِفْهُ إِلَى غَيْرِهِ**».

حدّثنا عَبْدُ اللَّهِ بْنُ سَعِيدٍ. حَدَّثَنَا شُجَاعُ بْنُ الْوَلِيدِ، عَنْ زِيَادِ بْنِ خَيْثَمَةَ، عَنْ عَطِيَّةَ، عَنْ أَبِي سَعِيدٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ. فَذَكَرَ مِثْلَهُ. وَلَمْ يَذْكُرْ سَعْداً.

[61] When One Pays In Advance For Date-Palms Which Have Not Yet Yielded

2284- It is narrated on the authority of An-Najrani that he said: I asked Abdullah Ibn Umar: "Should I pay in advance for date-palms which have not yet given their yields?" he said: "No." I asked: "Why?" he said: "During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", a man had paid in advance for a garden of date-palms before yielding; and the date-palms gave no fruits that year. The purchaser said: "Those (date-palms) are for me until they give fruits." The seller said: "I've sold you the date-palms only this year." They filed the case before the Messenger of Allah "Allah's blessing and peace be upon him" who said to the seller: "Has he taken anything of your date-palms?" he answered in the negative, thereupon he said to him: "Then, what do you have to do to make his property lawful for you? Give him back what you've taken from him, and do not pay in advance for date-palms until their benefit seems evident.""

[62] Taking Animals As Loan

2285- It is narrated on the authority of Abu Rafi' that the Messenger of Allah "Allah's blessing and peace be upon him" took as loan a young healthy camel (to give it in charity) from a man, and he said to him: "When the camels of charity come, we would give it back to you." When the camels of charity came, he said: "O Abu Rafi'! give back this man his camel!" I could not find but a seven-year-old camels and more, and when I told the Messenger of Allah "Allah's blessing and peace be upon him" he said: "Give him (one of them), for the best among the people is that who fulfills (what is due to others) with what is better (than theirs)."

2286- It is narrated on the authority of Al-Irbad Ibn Sariyah that he said: I was sitting with the Messenger of Allah "Allah's blessing and peace be upon him" when a Bedouin said to him: "Give me back my young healthy camel (you've loaned from me)!" he gave him a camel which was older (and healthier) than his, thereupon the Bedouin said: "O Messenger of Allah! This (camel) is older (and healthier) than mine." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the best among the people is him who fulfills (what is due upon him) with what is better (than theirs)."

[63] What About Partnership And Speculation

2287- It is narrated on the authority of As-Sa'ib that he said to the Messenger of Allah "Allah's blessing and peace be upon him": "You were

61 ـ بابٌ إذا أَسْلَمَ في نَخْلٍ بعَيْنِهِ لَمْ يُطْلِعْ

2284 ـ **حدّثنا** هَنَّادُ بْنُ السَّرِيِّ. حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ أَبِي إِسْحَاقَ، عَنِ النَّجْرَانِيِّ، قَالَ، قُلْتُ لِعَبْدِ اللَّهِ بْنِ عُمَرَ: أُسْلِمُ فِي نَخْلٍ قَبْلَ أَنْ يُطْلِعَ؟ قَالَ: لاَ. قُلْتُ: لِمَ؟ قَالَ: إِنَّ رَجُلاً أَسْلَمَ فِي حَدِيقَةِ نَخْلٍ، فِي عَهْدِ رَسُولِ اللَّهِ ﷺ قَبْلَ أَنْ يُطْلِعَ النَّخْلُ. فَلَمْ يُطْلِعِ النَّخْلُ شَيْئاً، ذٰلِكَ الْعَامَ. فَقَالَ الْمُشْتَرِي: هُوَ لِي حَتَّى يُطْلِعَ. وَقَالَ الْبَائِعُ: إِنَّمَا بِعْتُكَ النَّخْلَ هٰذِهِ السَّنَةَ. فَاخْتَصَمَا إِلَى رَسُولِ اللَّهِ ﷺ. فَقَالَ لِلْبَائِعِ: **«أَخَذَ مِنْ نَخْلِكَ شَيْئاً؟»** قَالَ: لاَ. قَالَ: **«فَبِمَ تَسْتَحِلُّ مَالَهُ؟ ارْدُدْ عَلَيْهِ مَا أَخَذْتَ مِنْهُ. وَلاَ تُسْلِمُوا فِي نَخْلٍ حَتَّى يَبْدُوَ صَلاَحُهُ»**.

62 ـ بابُ السَّلَمِ في الحَيَوَانِ

2285 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا مُسْلِمُ بْنُ خَالِدٍ. حَدَّثَنَا زَيْدُ بْنُ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ عَنْ أَبِي رَافِعٍ؛ أَنَّ النَّبِيَّ ﷺ اسْتَسْلَفَ مِنْ رَجُلٍ بَكْراً وَقَالَ: **«إِذَا جَاءَتْ إِبِلُ الصَّدَقَةِ قَضَيْنَاكَ»** فَلَمَّا قَدِمَتْ قَالَ: **«يَا أَبَا رَافِعٍ اقْضِ هٰذَا الرَّجُلَ بَكْرَهُ»** فَلَمْ أَجِدْ إِلاَّ رَبَاعِياً فَصَاعِداً فَأَخْبَرْتُ النَّبِيَّ ﷺ فَقَالَ: **«أَعْطِهِ. فَإِنَّ خَيْرَ النَّاسِ أَحْسَنُهُمْ قَضَاءً»**.

2286 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ. حَدَّثَنَا مُعَاوِيَةُ بْنُ صَالِحٍ. حَدَّثَنِي سَعِيدُ بْنُ هَانِىءٍ؛ قَالَ: سَمِعْتُ الْعِرْبَاضَ بْنَ سَارِيَةَ يَقُولُ: كُنْتُ عِنْدَ النَّبِيِّ ﷺ. فَقَالَ أَعْرَابِيٌّ: اقْضِنِي بَكْرِي. فَأَعْطَاهُ بَعِيراً مُسِنًّا. فَقَالَ الأَعْرَابِيُّ: يَا رَسُولَ اللَّهِ هٰذَا أَسَنُّ مِنْ بَعِيرِي. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«خَيْرُ النَّاسِ خَيْرُهُمْ قَضَاءً»**.

63 ـ بابُ الشَّرِكَةِ والمُضَارَبَةِ

2287 ـ **حدّثنا** عُثْمَانُ وَأَبُو بَكْرِ ابْنَا أَبِي شَيْبَةَ. قَالاَ: حَدَّثَنَا عَبْدُ الرَّحْمٰنِ بْنُ مَهْدِيٍّ عَنْ سُفْيَانَ، عَنْ إِبْرَاهِيمَ بْنِ مُهَاجِرٍ، عَنْ مُجَاهِدٍ، عَنْ قَائِدِ السَّائِبِ، عَنِ السَّائِبِ؛ قَالَ لِلنَّبِيِّ ﷺ: كُنْتَ شَرِيكِي فِي الْجَاهِلِيَّةِ. فَكُنْتَ خَيْرَ شَرِيكٍ. كُنْتَ لاَ تُدَارِينِي وَلاَ تُمَارِينِي.

my partner (in transactions) during the pre-Islamic period of ignorance; and verily, you were the best partner (one could ever see): you neither disputed with me, nor did you argue with me."

2288- It is narrated on the authority of Abdullah that he said: I, Sa'd and Ammar (agreed to) share in what we would get on the Day of (the holy battle of) Badr. Both I and Ammar got nothing, and Sa'd got two men.

2289- It is narrated on the authority of Salih Ibn Suhaib from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There are three (things) in which there is blessing: the transaction within fixed date, the speculation, and mixing wheat with parley for the use in the house and not for sale."

[64] What One Could Get From The Property Of His Son

2290- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best (and most lawful) thing one ever eats is that which is gained from (the labour of) his own hand; and one's child (along with his property) is out of such earnings of him."

2291- It is narrated on the authority of Jabir Ibn Abdullah that he said: A man said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! I have got property and offspring, and my father wants to take my property (to fulfill his needs)." On that he said: "Both you and your property are for your father."

2292- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "My father has taken my property (to fulfill his needs)." On that he said: "Both you and your property are for your father." The Messenger of Allah "Allah's blessing and peace be upon him" further said: "No doubt, your offspring (along with their property) are the best of what you've earned: so, (there is no harm to) eat out of their property."

[65] What A Woman Could Get From The Property Of Her Husband

2293- It is narrated on the authority of A'ishah that she said: Hind (daughter of Utbah, the wife of Abu Sufyan) came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My husband is niggardly, and he does not give me what is sufficient for expenditure of me and my children except what I take from his property

2288 ـ **حدّثنا** أَبُو السَّائِبِ سَلْمُ بْنُ جُنَادَةَ. حَدَّثَنَا أَبُو دَاوُدَ الْحَفَرِيُّ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: اشْتَرَكْتُ أَنَا وَسَعْدٌ وَعَمَّارٌ، يَوْمَ بَدْرٍ، فِيمَا نُصِيبُ. فَلَمْ أَجِئْ أَنَا وَلاَ عَمَّارٌ بِشَيْءٍ، وَجَاءَ سَعْدٌ بِرَجُلَيْنِ.

2289 ـ **حدّثنا** الْحَسَنُ بْنُ عَلِيٍّ الْخَلاَّلُ. حَدَّثَنَا بِشْرُ بْنُ ثَابِتٍ الْبَزَّارُ. حَدَّثَنَا نَصْرُ بْنُ الْقَاسِمِ، عَنْ عَبْدِ الرَّحْمٰنِ (عَبْدِ الرَّحِيمِ) بْنِ دَاوُدَ، عَنْ صَالِحِ بْنِ صُهَيْبٍ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**ثَلاَثٌ فِيهِنَّ الْبَرَكَةُ: الْبَيْعُ إِلَى أَجَلٍ، وَالْمُقَارَضَةُ وَأَخْلاَطُ الْبُرِّ بِالشَّعِيرِ، لِلْبَيْتِ، لاَ لِلْبَيْعِ**».

64 ـ بابُ ما للرَّجُلِ مِنْ مَالِ وَلَدِهِ

2290 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا ابْنُ أَبِي زَائِدَةَ، عَنِ الأَعْمَشِ، عَنْ عُمَارَةَ بْنِ عُمَيْرٍ، عَنْ عَمَّتِهِ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ أَطْيَبَ مَا أَكَلْتُمْ مِنْ كَسْبِكُمْ. وَإِنَّ أَوْلاَدَكُمْ مِنْ كَسْبِكُمْ**».

2291 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عِيسَى بْنُ يُونُسَ. حَدَّثَنَا يُوسُفُ بْنُ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللَّهِ إِنَّ لِي مَالاً وَوَلَداً. وَإِنَّ أَبِي يُرِيدُ أَنْ يَجْتَاحَ مَالِي. فَقَالَ: «**أَنْتَ وَمَالُكَ لِأَبِيكَ**».

2292 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى، وَيَحْيَى بْنُ حَكِيمٍ. قَالاَ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا حَجَّاجٌ عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ أَبِي اجْتَاحَ مَالِي. فَقَالَ: «**أَنْتَ وَمَالُكَ لِأَبِيكَ**» وَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ أَوْلاَدَكُمْ مِنْ أَطْيَبِ كَسْبِكُمْ. فَكُلُوا مِنْ أَمْوَالِهِمْ**».

65 ـ بابُ ما للمَرْأَةِ مِنْ مَالِ زَوْجِهَا

2293 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَأَبُو عُمَرَ الضَّرِيرُ. قَالُوا: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ؛ قَالَتْ: جَاءَتْ هِنْدٌ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ، لاَ يُعْطِينِي مَا يَكْفِينِي وَوَلَدِي، إِلاَّ مَا أَخَذْتُ مِنْ مَالِهِ، وَهُوَ لاَ يَعْلَمُ. فَقَالَ: «**خُذِي مَا يَكْفِيكِ وَوَلَدَكِ بِالْمَعْرُوفِ**».

without his knowledge." On that he said: "Take what is sufficient for the spending of you and your children, even though fairly and reasonably."

2294- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If the woman spends (or serves with food, according to another narration) out of the house of her husband (provided that she knows he is satisfied), causing no damage, she will have her reward, and he will have the same for what he earns (from which she spends), and she for what she spends, and the storekeeper will have the same (reward) without reducing anything from their rewards."

2295- It is narrated on the authority of Abu Umamah Al-Bahili that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "No woman should spend out of her house except with the leave of her husband." They said: "O Messenger of Allah! And even not food?" he said: "This is out of the best property we have."

[66] What A Slave Could Give In Charity

2296- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to answer the invitation of the slave (who had permission from his master to practice trade).

2297- It is narrated on the authority of Umair, the freed slave of Abu Al-Lahm that he said: Whenever my master gave me anything, I would feed out of it; but he prevented me (or said he beat me for that). I asked the Messenger of Allah "Allah's blessing and peace be upon him" (or he asked him), saying: "I would not desist (or stop) from that (habit)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said (to my master): "The reward (of that) is shared between you both."

[67] When One Comes Upon The Cattle Of The Garden Of Some People: Should He Get Of It

2298- It is narrated on the authority of Abbad Ibn Shurahbil, a man from the sons of Ghubar that he said: We were afflicted by a famine year, and when I arrived in Medina, I came upon a field of somebody, from which I picked up an ear (of wheat) which I rubbed, ate what it had, and put it in my garment. Then, the owner of the field came and beat me, and took my garment. I came to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon he said: "You neither gave him food when he was hungry (or given to starvation), nor did you instruct him when he was ignorant (that he has only what falls down

2294 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا أَبِي وَأَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا أَنْفَقَتِ الْمَرْأَةُ**» وَقَالَ أَبِي فِي حَدِيثِهِ: «**إِذَا أَطْعَمَتِ الْمَرْأَةُ مِنْ بَيْتِ زَوْجِهَا، غَيْرَ مُفْسِدَةٍ، كَانَ لَهَا أَجْرُهَا. وَلَهُ مِثْلُهُ بِمَا اكْتَسَبَ. وَلَهَا بِمَا أَنْفَقَتْ. وَلِلْخَازِنِ مِثْلُ ذَلِكَ، مِنْ غَيْرِ أَنْ يَنْقُصَ مِنْ أُجُورِهِمْ شَيْئاً**».

2295 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنِي شُرَحْبِيلُ بْنُ مُسْلِمٍ الْخَوْلاَنِيُّ؛ قَالَ: سَمِعْتُ أَبَا أُمَامَةَ الْبَاهِلِيَّ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لاَ تُنْفِقُ الْمَرْأَةُ مِنْ بَيْتِهَا شَيْئاً إِلاَّ بِإِذْنِ زَوْجِهَا**» قَالُوا: يَا رَسُولَ اللَّهِ وَلاَ الطَّعَامَ؟ قَالَ: «**ذَلِكَ مِنْ أَفْضَلِ أَمْوَالِنَا**».

66 ـ بابُ ما للعَبْدِ أَنْ يُعْطِيَ ويَتَصَدَّقَ

2296 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. حَدَّثَنَا سُفْيَانُ. ح وَحَدَّثَنَا عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا جَرِيرٌ عَنْ مُسْلِمٍ الْمُلاَئِيِّ، سَمِعَ أَنَسَ بْنَ مَالِكٍ يَقُولُ: كَانَ رَسُولُ اللَّهِ ﷺ يُجِيبُ دَعْوَةَ الْمَمْلُوكِ.

2297 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ مُحَمَّدِ بْنِ زَيْدٍ، عَنْ عُمَيْرٍ مَوْلَى آبِي اللَّحْمِ قَالَ: كَانَ مَوْلاَيَ يُعْطِينِي الشَّيْءَ فَأُطْعِمُ مِنْهُ. فَمَنَعَنِي، أَوْ قَالَ: فَضَرَبَنِي. فَسَأَلْتُ النَّبِيَّ ﷺ، أَوْ سَأَلَهُ. فَقُلْتُ: لاَ أَنْتَهِي أَوْ لاَ أَدَعُهُ فَقَالَ: «**الأَجْرُ بَيْنَكُمَا**».

67 ـ بابٌ مَنْ مَرَّ على مَاشِيَةِ قَوْمٍ أَوْ حَائِطٍ، هَلْ يُصِيبُ منه؟

2298 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ وَمُحَمَّدُ بْنُ الْوَلِيدِ. قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ عَنْ أَبِي بِشْرٍ جَعْفَرِ بْنِ أَبِي إِيَاسٍ؛ قَالَ: سَمِعْتُ عَبَّادَ بْنَ شُرَحْبِيلَ (رَجُلاً مِنْ بَنِي غُبَرَ) قَالَ: أَصَابَنَا عَامُ مَخْمَصَةٍ. فَأَتَيْتُ الْمَدِينَةَ. فَأَتَيْتُ حَائِطاً مِنْ حِيطَانِهَا. فَأَخَذْتُ سُنْبُلاً فَفَرَكْتُهُ وَأَكَلْتُهُ وَجَعَلْتُهُ فِي كِسَائِي. فَجَاءَ صَاحِبُ الْحَائِطِ. فَضَرَبَنِي وَأَخَذَ ثَوْبِي. فَأَتَيْتُ النَّبِيَّ ﷺ فَأَخْبَرْتُهُ. فَقَالَ لِلرَّجُلِ: «**مَا أَطْعَمْتَهُ إِذْ كَانَ جَائِعاً أَوْ سَاغِباً. وَلاَ عَلَّمْتَهُ إِذْ كَانَ جَاهِلاً**» فَأَمَرَهُ النَّبِيُّ ﷺ فَرَدَّ إِلَيْهِ ثَوْبَهُ. وَأَمَرَ لَهُ بِوَسْقٍ مِنْ طَعَامٍ أَوْ نِصْفِ وَسْقٍ.

from the branches)." The Messenger of Allah "Allah's blessing and peace be upon him" ordered the man to give back his garment to him, and he ordered that a Wasaq or half a Wasaq of food be given to him.

2299- It is narrated on the authority of Abu Rafi' Ibn Amr Al-Ghifari that he said: when I was still a boy, I used to throw (with pebbles) our date-palms, or the date-palms of the Ansar, and then I was brought to the Messenger of Allah "Allah's blessing and peace be upon him", who said to me: "O boy!" (or according to the narration of Ibn Kasib "O my boy") why do you throw (with pebbles) the date-palms?" I said: "In order to eat out of them." On that he said: "Then, do not throw them (with pebbles), and rather eat of what falls down underneath them." He passed his hand over my head and said: "O Allah! Satisfy his abdomen!"

2300- It is narrated on the authority of Abu Sa'id that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If you come upon a pasture (and you are severely thirsty), call (the shepherd) thrice: if he answers you (it is good), otherwise, you could drink with causing no damage; and if you come upon a garden (and you are very hungry), call the owner of the garden thrice: if he answers you (it is good) otherwise, you could eat with causing no damage."

2301- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you comes upon a garden (and he is stricken by severe hunger), let him eat (out of what falls down from it), and take nothing of it to keep in his garment."

[68] It Is Forbidden To Get Anything From The Cattle Without The Leave Of Its Owner

2302- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" stood and said: "Let none of you milk (the milch of) the cattle of another without his leave: do anyone of you like to have his room attacked, and the gate of his store broken and his food brought out (of it)? No doubt, the breasts of their cattle store their food for them. So, let none of you milk (the milch of) the cattle of another without his leave."

2303- It is narrated on the authority of Abu Hurairah that he said: While we were with the Messenger of Allah "Allah's blessing and peace be upon him" on journey, we saw some camels, with their breasts tied up by the side of huge thorn trees. We rushed to them, but the Messenger of Allah "Allah's blessing and peace be upon him" called us and we returned to him,

2299 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ وَيَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. قَالاَ: حَدَّثَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ قَالَ: سَمِعْتُ ابْنَ أَبِي الْحَكَمِ الْغِفَارِيَّ قَالَ: حَدَّثَتْنِي جَدَّتِي عَنْ عَمٍّ أَبِيهَا رَافِعِ بْنِ عَمْرٍو الْغِفَارِيِّ قَالَ: كُنْتُ وَأَنَا غُلاَمٌ أَرْمِي نَخْلَنَا، أَوْ قَالَ: نَخْلَ الأَنْصَارِ. فَأُتِيَ بِيَ النَّبِيَّ ﷺ. فَقَالَ: «**يَا غُلاَمُ**» وَقَالَ ابْنُ كَاسِبٍ: فَقَالَ: «**يَا بُنَيَّ لِمَ تَرْمِي النَّخْلَ؟**» قَالَ قُلْتُ: آكلُ. قَالَ: «**فَلاَ تَرْمِي النَّخْلَ. وَكُلْ مِمَّا يَسْقُطُ فِي أَسَافِلِهَا**» قَالَ، ثُمَّ مَسَحَ رَأْسِي وَقَالَ: «**اللَّهُمَّ أَشْبِعْ بَطْنَهُ**».

2300 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا الْجُرَيْرِيُّ، عَنْ أَبِي نَضْرَةَ، عَنْ أَبِي سَعِيدٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «**إِذَا أَتَيْتَ عَلَى رَاعٍ، فَنَادِهِ ثَلاَثَ مِرَارٍ. فَإِنْ أَجَابَكَ، وَإِلاَّ فَاشْرَبْ فِي غَيْرِ أَنْ تُفْسِدَ. وَإِذَا أَتَيْتَ عَلَى حَائِطِ بُسْتَانٍ، فَنَادِ صَاحِبَ الْبُسْتَانِ ثَلاَثَ مَرَّاتٍ. فَإِنْ أَجَابَكَ، وَإِلاَّ فَكُلْ فِي أَنْ لاَ تُفْسِدَ**».

2301 ـ **حدّثنا** هَدِيَّةُ بْنُ عَبْدِ الْوَهَّابِ، وَأَيُّوبُ بْنُ حَسَّانٍ الْوَاسِطِيُّ، وَعَلِيُّ بْنُ سَلَمَةَ. قَالُوا: حَدَّثَنَا يَحْيَى بْنُ سُلَيْمٍ الطَّائِفِيُّ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا مَرَّ أَحَدُكُمْ بِحَائِطٍ، فَلْيَأْكُلْ، وَلاَ يَتَّخِذْ خُبْنَةً**».

68 ـ بابُ النَّهْيِ أَنْ يُصِيبَ منها شَيْئاً إلاَّ بإذْنِ صَاحِبِهَا

2302 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ قَالَ: أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ قَامَ فَقَالَ: «**لاَ يَحْتَلِبَنَّ أَحَدُكُمْ مَاشِيَةَ رَجُلٍ بِغَيْرِ إِذْنِهِ. أَيُحِبُّ أَحَدُكُمْ أَنْ تُؤْتَى مَشْرُبَتُهُ فَيُكْسَرَ بَابُ خِزَانَتِهِ، فَيُنْتَثَلَ طَعَامُهُ؟ فَإِنَّمَا تَخْزُنُ لَهُمْ ضُرُوعُ مَوَاشِيهِمْ أَطْعِمَاتِهِمْ. فَلاَ يَحْتَلِبَنَّ أَحَدُكُمْ مَاشِيَةَ امْرِىءٍ بِغَيْرِ إِذْنِهِ**».

2303 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ بِشْرِ بْنِ مَنْصُورٍ. حَدَّثَنَا عُمَرُ بْنُ عَلِيٍّ، عَنْ حَجَّاجٍ، عَنْ سَلِيطِ بْنِ عَبْدِ اللَّهِ الطُّهَوِيِّ، عَنْ ذُهَيْلِ بْنِ عَوْفِ بْنِ شَمَّاخٍ الطُّهَوِيِّ. حَدَّثَنَا أَبُو هُرَيْرَةَ قَالَ: بَيْنَمَا نَحْنُ مَعَ رَسُولِ اللَّهِ ﷺ فِي سَفَرٍ، إِذْ رَأَيْنَا إِبِلاً مَصْرُورَةً

thereupon he said: "No doubt, those camels belong to a family of Muslims, and they constitute their provisions and blessing after (the blessing of) Allah Almighty. Are you pleased that when you go back to the containers of your journey provisions you find whatever (food) they contain having been taken? Do you see that out of justice?" we answered in the negative, and he said: "This (which you were about to do) is like that (which you reject)." We said: "Then, tell us: if we are in need of food and drink (what should we do?)" on that he said: "You could eat and drink, but without carrying anything more."

[69] Taking (And Breeding) Cattle

2304- It is narrated on the authority of Umm Hani' that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Take (and breed) sheep, for there is blessing in them."

2305- It is narrated on the authority of Urwah Al-Bariqi, tracing it up to the Prophet that he said: "Camels are (a source of) honour for their owners; sheep are (a cause of) blessing; and goodness is tied up in the forelocks of horses to the Day of Judgement."

2306- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The goat belongs to the beasts of the Garden."

2307- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" commanded the rich to take (and breed) sheep, and the poor to take (and breed) hens, and said: "When the rich come to take (and breed) hens, (this means that) Allah intends to destroy the villages" (with their inhabitants for the rich among them will have then made it hard upon the poor among them).

بِعِضَاهِ الشَّجَرِ. فَثُبْنَا إِلَيْهَا. فَنَادَانَا رَسُولُ اللَّهِ ﷺ. فَرَجَعْنَا إِلَيْهِ. فَقَالَ: «**إِنَّ هٰذِهِ الإِبِلَ لِأَهْلِ بَيْتٍ مِنَ الْمُسْلِمِينَ. هُوَ قُوتُهُمْ وَيُمْنُهُمْ بَعْدَ اللَّهِ. أَيَسُرُّكُمْ لَوْ رَجَعْتُمْ إِلَى مَزَاوِدِكُمْ فَوَجَدْتُمْ مَا فِيهَا قَدْ ذُهِبَ بِهِ؟ أَتَرَوْنَ ذٰلِكَ عَدْلاً؟**» قَالُوا: لاَ. قَالَ: «**فَإِنَّ هٰذَا كَذٰلِكَ**» قُلْنَا: أَفَرَأَيْتَ إِنِ احْتَجْنَا إِلَى الطَّعَامِ وَالشَّرَابِ؟ فَقَالَ: «**كُلْ وَلاَ تَحْمِلْ. وَاشْرَبْ وَلاَ تَحْمِلْ**».

69 ـ بَابُ اتِّخَاذِ الْمَاشِيَةِ

2304 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ أُمِّ هَانِىءٍ؛ أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: «**اتَّخِذِي غَنَماً، فَإِنَّ فِيهَا بَرَكَةً**».

2305 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ حُصَيْنٍ، عَنْ عَامِرٍ، عَنْ عُرْوَةَ الْبَارِقِيِّ، يَرْفَعُهُ قَالَ: «**الإِبِلُ عِزٌّ لِأَهْلِهَا. وَالْغَنَمُ بَرَكَةٌ. وَالْخَيْرُ مَعْقُودٌ فِي نَوَاصِي الْخَيْلِ إِلَى يَوْمِ الْقِيَامَةِ**».

2306 ـ **حدّثنا** عِصْمَةُ بْنُ الْفَضْلِ النَّيْسَابُورِيُّ، وَمُحَمَّدُ بْنُ فِرَاسٍ أَبُو هُرَيْرَةَ الصَّيْرَفِيُّ. قَالاَ: حَدَّثَنَا حَرَمِيُّ بْنُ عُمَارَةَ. حَدَّثَنَا زَرْبِيٌّ، إِمَامُ مَسْجِدِ هِشَامِ بْنِ حَسَّانٍ. حَدَّثَنَا مُحَمَّدُ بْنُ سِيرِينَ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الشَّاةُ مِنْ دَوَابِّ الْجَنَّةِ**».

2307 ـ **حدّثنا** مُحَمَّدُ بْنُ إِسْمَاعِيلَ. حَدَّثَنَا عُثْمَانُ بْنُ عَبْدِ الرَّحْمٰنِ. حَدَّثَنَا عَلِيُّ بْنُ عُرْوَةَ، عَنِ الْمَقْبُرِيِّ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: أَمَرَ رَسُولُ اللَّهِ ﷺ الأَغْنِيَاءَ بِاتِّخَاذِ الْغَنَمِ. وَأَمَرَ الْفُقَرَاءَ بِاتِّخَاذِ الدَّجَاجِ. وَقَالَ: «**عِنْدَ اتِّخَاذِ الأَغْنِيَاءِ الدَّجَاجَ، يَأْذَنُ اللَّهُ بِهَلاَكِ الْقُرَى**».

(13) THE BOOK OF JUDGEMENTS

[1] What About Judges

2308- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is made a judge between the people has, indeed, been slain without a knife."

2309- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who asks to be a judge has his matter entrusted to his own self; and he, who is forced to be so, has his matter (entrusted to Allah, Who, in turn) helps him (achieve his duty)."

2310- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent to me to Yemen, thereupon I said: "O Messenger of Allah! Would you send me to judge between them, and I'm still a young man, and do not know what judgement is?" he struck his hand in my chest and said: "O Allah! Guide his heart (to the truth), and make firm his tongue!" afterwards, never have I doubted in a judgement I passed between two persons.

[2] The Severe Punishment Of Committing Injustice And (Accepting Or Giving) Bribe

2311- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no ruler who judges between the people (with falsehood) but that on the Day of Resurrection, he will come, with an angel catching hold of him from the nape of his head, and he will raise his sight up to the sky: and when it is said: "Throw him", he will be thrown in a pitfall for forty autumns."

2312- It is narrated on the authority of Abdullah Ibn Abu Awfa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah keeps (helping and supporting) the judge as long as he is just: but once he is unjust, his matter will be entrusted to his own self."

2313- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah's Curse be upon the bribe giver and the briber."

[3] When The Judge Does His Best To Get The Truth

2314- It is narrated on the authority of Amr Ibn Al-As that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him"

13 ـ كِتَابُ الأَحْكَامِ

1 ـ بَابُ ذِكْرِ القُضَاةِ

2308 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُعَلَّى بْنُ مَنْصُورٍ، عَنْ عَبْدِ اللَّهِ بْنِ جَعْفَرٍ، عَنْ عُثْمَانَ بْنِ مُحَمَّدٍ، عَنِ الْمَقْبُرِيِّ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ جُعِلَ قَاضِياً بَيْنَ النَّاسِ، فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ»**.

2309 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ. قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا إِسْرَائِيلُ، عَنْ عَبْدِ الأَعْلَى، عَنْ بِلاَلِ بْنِ أَبِي مُوسَى، عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ سَأَلَ الْقَضَاءَ وُكِلَ إِلَى نَفْسِهِ. وَمَنْ جُبِرَ عَلَيْهِ نَزَلَ إِلَيْهِ مَلَكٌ فَسَدَّدَهُ»**.

2310 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا يَعْلَى وَأَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ أَبِي الْبَخْتَرِيِّ، عَنْ عَلِيٍّ؛ قَالَ: بَعَثَنِي رَسُولُ اللَّهِ ﷺ إِلَى الْيَمَنِ. فَقُلْتُ: يَا رَسُولَ اللَّهِ تَبْعَثُنِي وَأَنَا شَابٌّ أَقْضِي بَيْنَهُمْ، وَلاَ أَدْرِي مَا الْقَضَاءُ؟ قَالَ: فَضَرَبَ بِيَدِهِ فِي صَدْرِي. ثُمَّ قَالَ: **«اللَّهُمَّ اهْدِ قَلْبَهُ وَثَبِّتْ لِسَانَهُ»** قَالَ: فَمَا شَكَكْتُ بَعْدُ فِي قَضَاءٍ بَيْنَ اثْنَيْنِ.

2 ـ بَابُ التَّغْلِيظِ فِي الحَيْفِ والرِّشْوَةِ

2311 ـ **حدّثنا** أَبُو بَكْرِ بْنُ خَلاَّدٍ الْبَاهِلِيُّ. حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ الْقَطَّانُ. حَدَّثَنَا مُجَالِدٌ عَنْ عَامِرٍ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا مِنْ حَاكِمٍ يَحْكُمُ بَيْنَ النَّاسِ إِلاَّ جَاءَ يَوْمَ الْقِيَامَةِ، وَمَلَكٌ آخِذٌ بِقَفَاهُ. ثُمَّ يَرْفَعُ رَأْسَهُ إِلَى السَّمَاءِ. فَإِنْ قَالَ أَلْقِهِ، أَلْقَاهُ فِي مَهْوَاةٍ أَرْبَعِينَ خَرِيفاً»**.

2312 ـ **حدّثنا** أَحْمَدُ بْنُ سِنَانٍ. حَدَّثَنَا مُحَمَّدُ بْنُ بِلاَلٍ، عَنْ عِمْرَانَ الْقَطَّانِ، عَنْ حُسَيْنٍ، يَعْنِي ابْنَ عِمْرَانَ، عَنْ أَبِي إِسْحَاقَ الشَّيْبَانِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ اللَّهَ مَعَ الْقَاضِي، مَا لَمْ يَجُرْ. فَإِذَا جَارَ وَكَلَهُ إِلَى نَفْسِهِ»**.

2313 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا ابْنُ أَبِي ذِئْبٍ، عَنْ خَالِهِ الْحَارِثِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي سَلَمَةَ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَعْنَةُ اللَّهِ عَلَى الرَّاشِي وَالْمُرْتَشِي»**.

3 ـ بَابُ الحَاكِمِ يَجْتَهِدُ فَيُصِيبُ الحَقَّ

2314 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ الدَّرَاوَرْدِيُّ. حَدَّثَنَا يَزِيدُ بْنُ عَبْدِ اللَّهِ بْنِ الْهَادِ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ التَّيْمِيِّ، عَنْ بُسْرِ بْنِ سَعِيدٍ، عَنْ أَبِي قَيْسٍ مَوْلَى عَمْرِو بْنِ الْعَاصِ، عَنْ عَمْرِو بْنِ الْعَاصِ؛ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«إِذَا حَكَمَ الْحَاكِمُ فَاجْتَهَدَ فَأَصَابَ فَلَهُ أَجْرَانِ. وَإِذَا حَكَمَ فَاجْتَهَدَ فَأَخْطَأَ فَلَهُ أَجْرٌ»**.

قَالَ يَزِيدُ: فَحَدَّثْتُ بِهِ أَبَا بَكْرِ بْنَ عَمْرِو بْنِ حَزْمٍ. فَقَالَ: هٰكَذَا حَدَّثَنِيهِ أَبُو سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ.

having said: "If a judge passes a judgement in which he does his best (to get the truth) and he is right, he will receive a double reward; and if he passes a judgement, in which he does his best (to get the truth, even though) he is mistaken, he will receive a reward." Yazid said: I related it to Abu Bakr Ibn Amr Ibn Hazm who said: As such Abu Salamah related it to me from Abu Hurairah.

2315- It is narrated on the authority of Abu Hashim that he said: Had it not been for the narration of Ibn Buraidah from his father from the Messenger of Allah "Allah's blessing and peace be upon him" in which he said: "The judges are of three types, two of whom will be admitted to the fire (of Hell) and one to the Garden: a man who knows the truth with the help of which he passes his judgements will be admitted to the Garden; a man who judges between the people while being ignorant will be admitted to the fire (of Hell); and a man who is unjust in his judgements will be admitted to the fire" we would have said that if a judge does his best (to get the truth, whether he succeeds or fails) he will be admitted to the Garden.

[4] The Judge Should Not Pass A Judgement While Being In The State Of Anger

2316- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Bakrah from his father that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The judge should not judge between two persons while he is angry." In the narration of Hisham: "It is not fitting for a judge to judge between two persons while being in the state of anger."

[5] The Commandment Of The Judgement Never Makes Lawful What Is Unlawful, Nor Does It Make Unlawful What Is Lawful

2317- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "You people present your cases to me and I'm (no more than) a human being; and some of you may be more eloquent and persuasive in presenting their argument; and I judge your cases depending upon what I hear from you. So, if I give some one's right to another (wrongly because of the latter's tricky presentation of the case), he should not take it for indeed, I am really giving him a piece of fire, with which he will come on the Day of Judgement."

2318- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I'm (no more than) a human being; and some of you may be more eloquent and persuasive in presenting their argument. So, if I give some one's right to another (by mistake), I am really giving him a piece of fire."

2315 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ تَوْبَةَ. حَدَّثَنَا خَلَفُ بْنُ خَلِيفَةَ. حَدَّثَنَا أَبُو هَاشِمٍ؛ قَالَ: لَوْلاَ حَدِيثُ ابْنِ بُرَيْدَةَ عَنْ أَبِيهِ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: **«الْقُضَاةُ ثَلاثَةٌ. اثْنَانِ فِي النَّارِ، وَوَاحِدٌ فِي الْجَنَّةِ: رَجُلٌ عَلِمَ الْحَقَّ فَقَضَى بِهِ فَهُوَ فِي الْجَنَّةِ. وَرَجُلٌ قَضَى لِلنَّاسِ عَلَى جَهْلٍ فَهُوَ فِي النَّارِ. وَرَجُلٌ جَارَ فِي الْحُكْمِ فَهُوَ فِي النَّارِ»**؛ لَقُلْنَا: إِنَّ الْقَاضِيَ إِذَا اجْتَهَدَ فَهُوَ فِي الْجَنَّةِ.

4 ـ بابٌ لا يَحْكُمُ الحَاكِمُ وهُوَ غَضْبَانُ

2316 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَمُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ يَزِيدَ، وَأَحْمَدُ بْنُ ثَابِتٍ الْجَحْدَرِيُّ قَالُوا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ؛ أَنَّهُ سَمِعَ عَبْدَ الرَّحْمٰنِ بْنَ أَبِي بَكْرَةَ، عَنْ أَبِيهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ يَقْضِي الْقَاضِي بَيْنَ اثْنَيْنِ وَهُوَ غَضْبَانُ»**.

قَالَ هِشَامٌ، فِي حَدِيثِهِ: لاَ يَنْبَغِي لِلْحَاكِمِ أَنْ يَقْضِيَ بَيْنَ اثْنَيْنِ وَهُوَ غَضْبَانُ.

5 ـ بابٌ قَضِيَّةُ الحَاكِمِ لا تُحِلُّ حَرَاماً ولا تُحَرِّمُ حَلالاً

2317 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ، عَنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ، عَنْ أُمِّ سَلَمَةَ؛ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ وَإِنَّمَا أَنَا بَشَرٌ. وَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضٍ. وَإِنَّمَا أَقْضِي لَكُمْ عَلَى نَحْوِ مِمَّا أَسْمَعُ مِنْكُمْ. فَمَنْ قَضَيْتُ لَهُ مِنْ حَقِّ أَخِيهِ شَيْئاً، فَلاَ يَأْخُذْهُ. فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ. يَأْتِي بِهَا يَوْمَ الْقِيَامَةِ»**.

2318 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ. حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّمَا أَنَا بَشَرٌ. وَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضٍ. فَمَنْ قَطَعْتُ لَهُ مِنْ حَقِّ أَخِيهِ قِطْعَةً. فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ»**.

[6] When One Claims That, In Which He Has No Right

2319- It is narrated on the authority of Abu Dharr that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who claims that, in which he has no right, does not belong to us (Muslims), and rather let him occupy his seat in the fire (of Hell)."

2320- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who helps an opponent (to affirm his claim) wrongfully, (or whoever helps in injustice) becomes in the Displeasure of Allah till he desists (from that)."

[7] The Evidence Should Be Brought By The Claimant, And The Oath Should Be Taken By The Defendant

2321- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Had the plaintiffs been given (what they claim) just depending upon their claims, (a lot of) people would have claimed the blood and property of men; but, the oath should be taken by the defendant (to refute the claim in case the claimant fails to have an evidence to affirm his claim)."

2322- It is narrated on the authority of Al-Ash'ath Ibn Qais that he said: I had common land with a Jew, who later denied my ownership, so I took him to The Prophet "Allah's blessing and peace be upon him" who asked me whether I had a proof of my ownership. When I replied in the negative, The Prophet "Allah's blessing and peace be upon him" asked the Jew to take an oath. I said: "O Allah's Apostle! He will take an oath and deprive me of my property." So, Allah revealed the following verse: " As for those who sell the Faith they own to Allah and their own plighted word for a small price, they shall have no portion in the Hereafter: nor will Allah (deign to) speak to them or look at them on the day of judgment, nor will he cleanse them (of sin): they shall have a grievous penalty." (Al Imran 77)

[8] When One Takes A False Oath To Usurp The Property (Of Another Unlawfully)

2323- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath, in which he tells a lie, therewith to usurp unlawfully the property of another Muslim, will meet Allah while being angry with him."

2324- It is narrated on the authority of Abu Umamah Al-Harithi that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon

6 ـ بابُ مَنِ ادَّعَى ما لَيْسَ له وخَاصَمَ فيه

2319 ـ **حدّثنا** عَبْدُ الْوَارِثِ بْنُ عَبْدِ الصَّمَدِ بْنِ عَبْدِ الْوَارِثِ بْنِ سَعِيدٍ، أَبُو عُبَيْدَةَ. حَدَّثَنِي أَبِي. حَدَّثَنَا الْحُسَيْنُ بْنُ ذَكْوَانَ عَنْ عَبْدِ اللَّهِ بْنِ بُرَيْدَةَ؛ قَالَ: حَدَّثَنِي يَحْيَى بْنُ يَعْمُرَ أَنَّ أَبَا الأَسْوَدِ الدِّيلِيَّ حَدَّثَهُ عَنْ أَبِي ذَرٍّ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنِ ادَّعَى مَا لَيسَ لَهُ فَلَيسَ مِنَّا، وَلْيَتَبَوَّأْ مَقْعَدَهُ مِنَ النَّارِ**».

2320 ـ **حدّثنا** مُحَمَّدُ بْنُ ثَعْلَبَةَ بْنِ سَوَاءٍ. حَدَّثَنِي عَمِّي مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ حُسَيْنٍ الْمُعَلِّمِ، عَنْ مَطَرٍ الْوَرَّاقِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَعَانَ عَلَى خُصُومَةٍ بِظُلْمٍ (أَوْ يُعِينُ عَلَى ظُلْمٍ) لَمْ يَزَلْ فِي سَخَطِ اللَّهِ حَتَّى يَنْزِعَ**».

7 ـ بابٌ «البَيِّنَةُ على المُدَّعي واليَمِينُ على المُدَّعَى عَلَيْهِ»

2321 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَى الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَنْبَأَنَا ابْنُ جُرَيْجٍ، عَنِ ابْنِ أَبِي مُلَيْكَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لَوْ يُعْطَى النَّاسُ بِدَعْوَاهُمْ، ادَّعَى نَاسٌ دِمَاءَ رِجَالٍ وَأَمْوَالَهُمْ. وَلَكِنِ الْيَمِينُ عَلَى الْمُدَّعَى عَلَيْهِ**».

2322 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، وَعَلِيُّ بْنُ مُحَمَّدٍ. قَالاَ: حَدَّثَنَا وَكِيعٌ وَأَبُو مُعَاوِيَةَ. قَالاَ: حَدَّثَنَا الأَعْمَشُ عَنْ شَقِيقٍ، عَنِ الأَشْعَثِ بْنِ قَيْسٍ؛ قَالَ: كَانَ بَيْنِي وَبَيْنَ رَجُلٍ مِنَ الْيَهُودِ أَرْضٌ. فَجَحَدَنِي. فَقَدَّمْتُهُ إِلَى النَّبِيِّ ﷺ. فَقَالَ لِي رَسُولُ اللَّهِ ﷺ: «**هَلْ لَكَ بَيِّنَةٌ؟**» قُلْتُ: لاَ. قَالَ لِلْيَهُودِيِّ: «**احْلِفْ**» قُلْتُ: إِذاً يَحْلِفُ فِيهِ فَيَذْهَبُ بِمَالِي. فَأَنْزَلَ اللَّهُ سُبْحَانَهُ: ﴿إِنَّ ٱلَّذِينَ يَشْتَرُونَ بِعَهْدِ ٱللَّهِ وَأَيْمَٰنِهِمْ ثَمَنًا قَلِيلًا﴾ [آل عمران: 77] الخ الآيَة.

8 ـ بابُ مَنْ حَلَفَ على يَمِينٍ فَاجِرَةٍ لِيَقْتَطِعَ بها مَالاً

2323 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا وَكِيعٌ وَأَبُو مُعَاوِيَةَ. قَالاَ: حَدَّثَنَا الأَعْمَشُ عَنْ شَقِيقٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ عَلَى يَمِينٍ، وَهُوَ فِيهَا فَاجِرٌ، يَقْتَطِعُ بِهَا مَالَ امْرِىءٍ مُسْلِمٍ، لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ**».

2324 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ عَنِ الْوَلِيدِ بْنِ كَثِيرٍ، عَنْ مُحَمَّدِ بْنِ كَعْبٍ؛ أَنَّهُ سَمِعَ أَخَاهُ عَبْدَ اللَّهِ بْنَ كَعْبٍ أَنَّ أَبَا أُمَامَةَ الْحَارِثِيَّ حَدَّثَهُ؛ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لاَ يَقْتَطِعُ رَجُلٌ حَقَّ امْرِىءٍ مُسْلِمٍ بِيَمِينِهِ، إِلاَّ حَرَّمَ**

him" having said: "There is no man, who usurps the property of a Muslim unlawfully with the help of his (false) oath, except that Allah will forbid the Garden to him, and rather affirm the fire (of Hell) to him." A man from the (present) people said: "O Messenger of Allah! Even though it is something little?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Even though it is a (stick of) Siwak of Arak (tree)."

[9] Taking Oath Near The Platform Of Deciding The Rights

2325- It is narrated on the authority of Jabir Ibn Abdullah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "He, who takes a sinful oath near this pulpit of mine, let him occupy his seat in the fire (of Hell), even though (to take as little as a) green stick of Siwak."

2326- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no slave nor slave-girl to take a sinful oath near this pulpit (of mine on which I judge between the people to take) even (as little as) a fresh stick of Siwak but that the fire (of Hell) will be assured to him."

[10] By Which Would The People Of Scripture Be Asked To Swear

2327- It is narrated on the authority of Al-Bara' Ibn Azib that once, the Messenger of Allah "Allah's blessing and peace be upon him" addressed one of the learnt men of Jews, saying: "I beseech you by (Allah) Who sent the Torah upon Moses!"

2328- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" addressed two from amongst the Jews saying: "I beseech you by Allah, Who sent the Torah upon Moses "Peace be upon him"!"

[11] When Two Men Have A Claim Over One Thing, With No Evidence To Affirm Their Claim

2329- It is narrated on the authority of Abu Hurairah that once, two men had a claim over an animal, with no evidence they had (to affirm their claim). The Messenger of Allah "Allah's blessing and peace be upon him" asked them to draw lots upon (which of both would) take oath first.

2330- It is narrated on the authority of Abu Musa that once, two opponents filed their case before the Messenger of Allah "Allah's blessing and peace be upon him" over an animal, and none of them had an evidence (to affirm his claim), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" divided it into two halves between them.

اللَّهُ عَلَيْهِ الْجَنَّةَ وَأَوْجَبَ لَهُ النَّارَ». فَقَالَ رَجُلٌ مِنَ الْقَوْمِ: يَا رَسُولَ اللَّهِ وَإِنْ كَانَ شَيْئاً يَسِيراً؟ قَالَ: «وَإِنْ كَانَ سِوَاكاً مِنْ أَرَاكٍ».

9 ـ بابُ اليَمِينُ عِنْدَ مَقَاطِعِ الحُقُوقِ

2325 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ. ح وَحَدَّثَنَا أَحْمَدُ بْنُ ثَابِتٍ الْجَحْدَرِيُّ. حَدَّثَنَا صَفْوَانُ بْنُ عِيسَى. قَالاَ: حَدَّثَنَا هَاشِمُ بْنُ هَاشِمٍ عَنْ عَبْدِ اللَّهِ بْنِ نِسْطَاسٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ بِيَمِينٍ آثِمَةٍ، عِنْدَ مِنْبَرِي هٰذَا، فَلْيَتَبَوَّأْ مَقْعَدَهُ مِنَ النَّارِ. وَلَوْ عَلَى سِوَاكٍ أَخْضَرَ**».

2326 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى، وَزَيْدُ بْنُ أَخْزَمَ. قَالاَ: حَدَّثَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ. حَدَّثَنَا الْحَسَنُ بْنُ يَزِيدَ بْنِ فَرُّوخَ. قَالَ مُحَمَّدُ بْنُ يَحْيَى، وَهُوَ أَبُو يُونُسَ الْقَوِيُّ، قَالَ: سَمِعْتُ أَبَا سَلَمَةَ يَقُولُ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَحْلِفُ عِنْدَ هٰذَا الْمِنْبَرِ عَبْدٌ، وَلاَ أَمَةٌ، عَلَى يَمِينٍ آثِمَةٍ، وَلَوْ عَلَى سِوَاكٍ رَطْبٍ، إِلاَّ وَجَبَتْ لَهُ النَّارُ**».

10 ـ بابٌ بما يُسْتَحْلَفُ أَهْلُ الكِتَابِ

2327 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ، عَنْ عَبْدِ اللَّهِ بْنِ مُرَّةَ، عَنِ الْبَرَاءِ بْنِ عَازِبٍ؛ أَنَّ رَسُولَ اللَّهِ ﷺ دَعَا رَجُلاً مِنْ عُلَمَاءِ الْيَهُودِ. فَقَالَ: «**أَنْشُدُكَ بِالَّذِي أَنْزَلَ التَّوْرَاةَ عَلَى مُوسَى**».

2328 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو أُسَامَةَ عَنْ مُجَالِدٍ. أَنْبَأَنَا عَامِرٌ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ لِيَهُودِيَّيْنِ: «**أَنْشَدْتُكُمَا بِاللَّهِ الَّذِي أَنْزَلَ التَّوْرَاةَ عَلَى مُوسَى عَلَيْهِ السَّلاَمُ**».

11 ـ بابُ الرَّجُلانِ يَدَّعِيَانِ السِّلْعَةَ ولَيْسَ بَيْنَهُما بَيِّنَةٌ

2329 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا خَالِدُ بْنُ الْحَرِثِ. حَدَّثَنَا سَعِيدُ بْنُ أَبِي عَرُوبَةَ عَنْ قَتَادَةَ، عَنْ خِلاَسٍ، عَنْ أَبِي رَافِعٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّهُ ذَكَرَ أَنَّ رَجُلَيْنِ ادَّعَيَا دَابَّةً. وَلَمْ يَكُنْ بَيْنَهُمَا بَيِّنَةٌ. فَأَمَرَهُمَا النَّبِيُّ ﷺ أَنْ يَسْتَهِمَا عَلَى الْيَمِينِ.

2330 ـ **حدّثنا** إِسْحَاقُ بْنُ مَنْصُورٍ، وَمُحَمَّدُ بْنُ مَعْمَرٍ، وَزُهَيْرُ بْنُ مُحَمَّدٍ. قَالُوا: حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ. حَدَّثَنَا سُفْيَانُ عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ أَبِي بُرْدَةَ، عَنْ أَبِيهِ، عَنْ أَبِي مُوسَى؛ أَنَّ رَسُولَ اللَّهِ ﷺ اخْتَصَمَ إِلَيْهِ رَجُلاَنِ، بَيْنَهُمَا دَابَّةٌ. وَلَيْسَ لِوَاحِدٍ مِنْهُمَا بَيِّنَةٌ، فَجَعَلَهَا بَيْنَهُمَا نِصْفَيْنِ.

[12] When A Thing Is Stolen From Somebody, Which He Finds With Another After He Buys It

2331- It is narrated on the authority of Samurah Ibn Jundub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a thing is lost or stolen from somebody, which he finds with another as selling it, he has more claim over it; and the buyer then should bring back the price (he has paid) from the seller."

[13] The Judgement Pertaining To The Damage Caused By Cattle

2332- It is narrated on the authority of Ibn Muhaiyyisah Al-Ansari that a she-camel belonging to Al-Bara' and it was accustomed to graze in the fields of the people, entered the garden of some people, and cause damage in it. A mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon him", who judged that guarding the gardens is due upon their owners during the day, and whatever the cattle damage at night is due upon their owners.

(...) It is narrated on the authority of Al-Bara' Ibn Azib that a she-camel belonging to the family of Al-Bara' caused damage (in a garden of some people), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" passed the same judgement.

[14] The Judgement Pertaining To Such As Breaks Something

2333- It is narrated on the authority of Qais Ibn Wahb from a man from Banu Su'ah that he said: I said to A'ishah: Tell me about the character of the Messenger of Allah "Allah's blessing and peace be upon him". She said: Do you not recite the Qur'an (in which Allah says): "And you (stand) on an exalted standard of character"? (Al-Qalam 4) once, the Messenger of Allah "Allah's blessing and peace be upon him" was sitting with his companions; and I prepared food for him, and so did Hafsah, but Hafsah preceded me (to him), thereupon I said to my slave-girl: "Go and turn over her bowl." She caught up with her when she intended to place it in front of the Messenger of Allah "Allah's blessing and peace be upon him", and turned it over with the result that the bowl got broken, and the food scattered. The Messenger of Allah "Allah's blessing and peace be upon him" gathered (its pieces) and whatever food it contained on a leather sheet, and they ate. Then he sent my bowl to Hafsah and said to her: "Take this container instead of (your broken) one, and eat what is in it." However, I did not see (the traces of) anger on the face of the Messenger of Allah "Allah's blessing and peace be upon him".

12 ـ بابُ مَنْ سُرِقَ له شَيْءٌ، فَوَجَدَهُ في يَدِ رَجُلٍ، اشْتَرَاهُ

2331 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ. حَدَّثَنَا حَجَّاجٌ عَنْ سَعِيدِ بْنِ عُبَيْدِ بْنِ زَيْدِ بْنِ عُقْبَةَ، عَنْ أَبِيهِ، عَنْ سَمُرَةَ بْنِ جُنْدَبٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا ضَاعَ لِلرَّجُلِ مَتَاعٌ، أَوْ سُرِقَ لَهُ مَتَاعٌ، فَوَجَدَهُ فِي يَدِ رَجُلٍ يَبِيعُهُ، فَهُوَ أَحَقُّ بِهِ. وَيَرْجِعُ الْمُشْتَرِي عَلَى الْبَائِعِ بِالثَّمَنِ»**.

13 ـ بابُ الحُكْمِ فِيمَا أَفْسَدَتِ المَوَاشِي

2332 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ الْمِصْرِيُّ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ أَنَّ ابْنَ مُحَيِّصَةَ الأَنْصَارِيَّ أَخْبَرَهُ أَنَّ نَاقَةً لِلْبَرَاءِ، كَانَتْ ضَارِيَةً، دَخَلَتْ فِي حَائِطِ قَوْمٍ. فَأَفْسَدَتْ فِيهِ. فَكُلِّمَ رَسُولُ اللَّهِ ﷺ فِيهَا. فَقَضَى أَنَّ حِفْظَ الأَمْوَالِ عَلَى أَهْلِهَا بِالنَّهَارِ. وَعَلَى أَهْلِ الْمَوَاشِي مَا أَصَابَتْ مَوَاشِيهِمْ بِاللَّيْلِ.

حدّثنا الْحَسَنُ بْنُ عَلِيِّ بْنِ عَفَّانَ. حَدَّثَنَا مُعَاوِيَةُ بْنُ هِشَامٍ، عَنْ سُفْيَانَ، عَنْ عَبْدِ اللَّهِ بْنِ عِيسَى، عَنِ الزُّهْرِيِّ، عَنْ حَرَامِ بْنِ مُحَيِّصَةَ، عَنِ الْبَرَاءِ بْنِ عَازِبٍ؛ أَنَّ نَاقَةً لِآلِ الْبَرَاءِ أَفْسَدَتْ شَيْئاً. فَقَضَى رَسُولُ اللَّهِ ﷺ، بِمِثْلِهِ.

14 ـ بابُ الحُكْمِ فِيمَنْ كَسَرَ شَيْئاً

2333 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا شَرِيكُ بْنُ عَبْدِ اللَّهِ عَنْ قَيْسِ بْنِ وَهْبٍ، عَنْ رَجُلٍ مِنْ بَنِي سُوَاءَةَ قَالَ: قُلْتُ لِعَائِشَةَ: أَخْبِرِينِي عَنْ خُلُقِ رَسُولِ اللَّهِ ﷺ. قَالَتْ: أَوَ مَا تَقْرَأُ الْقُرْآنَ: ﴿وَإِنَّكَ لَعَلَىٰ خُلُقٍ عَظِيمٍ﴾؟ [القلم: 4] قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ مَعَ أَصْحَابِهِ. فَصَنَعْتُ لَهُ طَعَاماً. وَصَنَعَتْ لَهُ حَفْصَةُ طَعَاماً. قَالَتْ: فَسَبَقَتْنِي حَفْصَةُ. فَقُلْتُ لِلْجَارِيَةِ: انْطَلِقِي فَأَكْفِئِي قَصْعَتَهَا. فَلَحِقَتْهَا وَقَدْ هَمَّتْ أَنْ تَضَعَ بَيْنَ يَدَيْ رَسُولِ اللَّهِ ﷺ فَأَكْفَأَتْهَا فَانْكَسَرَتِ الْقَصْعَةُ، وَانْتَشَرَ الطَّعَامُ. قَالَتْ فَجَمَعَهَا رَسُولُ اللَّهِ ﷺ وَمَا فِيهَا مِنَ الطَّعَامِ عَلَى النِطَعِ. فَأَكَلُوا. ثُمَّ بَعَثَ بِقَصْعَتِي. فَدَفَعَهَا إِلَى حَفْصَةَ. فَقَالَ: **«خُذُوا ظَرْفاً مَكَانَ ظَرْفِكُمْ وَكُلُوا مَا فِيهَا»** قَالَتْ: فَمَا رَأَيْتُ ذٰلِكَ فِي وَجْهِ رَسُولِ اللَّهِ ﷺ.

2334- It is narrated on the authority of Anas Ibn Malik that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" was in the house of one of the Mothers of the Believers, when another sent a bowl containing food, thereupon she (in whose house he was) struck the hand of the servant, and the bowl fell down and got broken. On that the Messenger of Allah "Allah's blessing and peace be upon him" took the two fragments (of the bowl), and joined them, in which he started gathering the food, while saying: "Your mother has become jealous! You might eat!" they kept eating until she brought her bowl which was in her house; and he gave the unbroken bowl to the servant, and kept the broken one in the house of such as broke it.

[15] When A Man Fixes A Wooden Peg In The Wall Of His Neighbour

2335- It is narrated on the authority of Abu Hurairah that he said tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him": "If the neighbour of anyone of you asks his permission to fix a wooden peg in his wall, let not him prevent him from doing so." When he related it to them, they lowered their heads, thereupon he said: "Why do I see you disinclined to it? By Allah! I will make it in circulation among you!"

2336- It is narrated on the authority of Ikrimah Ibn Salamah that one of two brothers from the sons of Al-Mughirah swore to emancipate (a slave otherwise) the other should not fix a wooden peg in his wall. Mujammi' Ibn Yazid came in the company of a lot of men from amongst the Ansar and said: "We bear testimony that the Messenger of Allah "Allah's blessing and peace be upon him" said: "None of you should prevent his neighbour to fix a wooden peg in his wall."" On that he said: "O my brother! You've got a judgement in your favour against me. But, since I took an oath (to emancipate a slave if you fixed that in my wall), place a pillar on my wall, in which you could fix your wooden peg."

2337- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let none of you prevent his neighbour from fixing a wooden peg in his wall."

[16] When There Is A Dispute Over The Width Of The Street (They Should Leave)

2338- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Make the width of the street (among your houses no less than) seven cubits."

2334 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُثَنَّى. حَدَّثَنَا خَالِدُ بْنُ الْحَرِثِ. حَدَّثَنَا حُمَيْدٌ عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: كَانَ النَّبِيُّ ﷺ عِنْدَ إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ. فَأَرْسَلَتْ أُخْرَى بِقَصْعَةٍ فِيهَا طَعَامٌ. فَضَرَبَتْ يَدَ الرَّسُولِ. فَسَقَطَتِ الْقَصْعَةُ فَانْكَسَرَتْ. فَأَخَذَ رَسُولُ اللَّهِ ﷺ الْكِسْرَتَيْنِ فَضَمَّ إِحْدَاهُمَا إِلَى الأُخْرَى. فَجَعَلَ يَجْمَعُ فِيهَا الطَّعَامَ وَيَقُولُ: «**غَارَتْ أُمُّكُمْ. كُلُوا**» فَأَكَلُوا. حَتَّى جَاءَتْ بِقَصْعَتِهَا، الَّتِي فِي بَيْتِهَا. فَدَفَعَ الْقَصْعَةَ الصَّحِيحَةَ إِلَى الرَّسُولِ، وَتَرَكَ الْمَكْسُورَةَ فِي بَيْتِ الَّتِي كَسَرَتْهَا.

15 ـ بابُ الرَّجُلِ يَضَعُ خَشَبَةً على جِدَارِ جَارِهِ

2335 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالاَ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ الرَّحْمٰنِ الأَعْرَجِ؛ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ، يَبْلُغُ بِهِ النَّبِيَّ ﷺ، قَالَ: «**إِذَا اسْتَأْذَنَ أَحَدَكُمْ جَارُهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ فَلاَ يَمْنَعْهُ**» فَلَمَّا حَدَّثَهُمْ أَبُو هُرَيْرَةَ طَأْطَأُوا رُؤُوسَهُمْ. فَلَمَّا رَآهُمْ قَالَ: مَا لِي أَرَاكُمْ عَنْهَا مُعْرِضِينَ؟ وَاللَّهِ لأَرْمِيَنَّ بِهَا بَيْنَ أَكْتَافِكُمْ.

2336 ـ **حدّثنا** أَبُو بِشْرٍ، بَكْرُ بْنُ خَلَفٍ. حَدَّثَنَا أَبُو عَاصِمٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَمْرِو بْنِ دِينَارٍ؛ أَنَّ هِشَامَ بْنَ يَحْيَى أَخْبَرَهُ أَنَّ عِكْرِمَةَ بْنَ سَلَمَةَ أَخْبَرَهُ أَنَّ أَخَوَيْنِ مِنْ بَلْمُغِيرَةَ أَعْتَقَ أَحَدَهُمَا أَنْ لاَ يَغْرِزَ خَشَباً فِي جِدَارِهِ. فَأَقْبَلَ مُجَمِّعُ بْنُ يَزِيدَ وَرِجَالٌ كَثِيرٌ مِنَ الأَنْصَارِ. فَقَالُوا: نَشْهَدُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ يَمْنَعْ أَحَدُكُمْ جَارَهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ**» فَقَالَ: يَا أَخِي إِنَّكَ مَقْضِيٌّ لَكَ عَلَيَّ. وَقَدْ حَلَفْتُ. فَاجْعَلْ أُسْطُوَاناً دُونَ حَائِطِي أَوْ جِدَارِي. فَاجْعَلْ عَلَيْهِ خَشَبَكَ.

2337 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَى. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَخْبَرَنِي ابْنُ لَهِيعَةَ، عَنْ أَبِي الأَسْوَدِ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: «**لاَ يَمْنَعْ أَحَدُكُمْ جَارَهُ أَنْ يَغْرِزَ خَشَبَةً عَلَى جِدَارِهِ**».

16 ـ بابٌ إذا تَشَاجَرُوا في قَدْرِ الطَّرِيقِ

2338 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا مُثَنَّى بْنُ سَعِيدٍ الضُّبَعِيُّ عَنْ قَتَادَةَ عَنْ بَشِيرِ بْنِ كَعْبٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اجْعَلُوا الطَّرِيقَ سَبْعَةَ أَذْرُعٍ**».

2339- It is narrated on the authority of Ibn Abbas that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "If you fall in dispute over the width of the street, make it (no less than) seven cubits."

[17] When One Constructs That, Which Causes Damage To His Neighbour

2340- It is narrated on the authority of Ubadah Ibn As-Samit that the Messenger of Allah "Allah's blessing and peace be upon him" judged that there should be no harm (a man might cause to another), nor should (anyone cause) damage (in retaliation for whatever harm he receives).

2341- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There should be no harm (to be caused to another), nor should (anyone cause) damage (in return for whatever harm he receives)."

2342- It is narrated on the authority of Abu Sirmah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who causes damage (to others), Allah would damage him; and he, who makes things hard (on the people), Allah makes things hard on him."

[18] When Two Opponents Dispute Over A Shed Of Pipes

2343- It is narrated on the authority of Nimran Ibn Jariyah from his father that a people filed their case before the Messenger of Allah "Allah's blessing and peace be upon him" over a shed of pipes, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" sent Hudhaifah to judge between them, and gave a judgement in favour of such as had the rope (with which the pipes were tied up) next to them. When he came back to the Messenger of Allah "Allah's blessing and peace be upon him" and told him, he said to him: "You've got the right, in which you've done well."

[19] When One Stipulates The Condition Of Clearance

2344- It is narrated on the authority of Samurah Ibn Jundub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a thing is bought by two persons (who fall in dispute over it), it should be the portion of the first (of them)." Abu Al-Walid (a sub-narrator) says: This narration cancels (the condition of) clearance.

[20] The Judgement Of Drawing Lots

2345- It is narrated on the authority of Imran Ibn Husain that a man had six slaves, other than whom he had no property; and he emancipated all of

2339 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ، وَمُحَمَّدُ بْنُ عُمَرَ بْنِ هَيَّاجٍ. قَالاَ: حَدَّثَنَا قَبِيصَةُ. حَدَّثَنَا سُفْيَانُ عَنْ سِمَاكٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا اخْتَلَفْتُمْ فِي الطَّرِيقِ فَاجْعَلُوهُ سَبْعَةَ أَذْرُعٍ**».

17 ـ بابُ مَنْ بَنَى في حَقِّهِ ما يَضُرُّ بجارِه

2340 ـ **حدّثنا** عَبْدُ رَبِّهِ بْنُ خَالِدٍ النُّمَيْرِيُّ، أَبُو الْمُغَلِّسِ. حَدَّثَنَا فُضَيْلُ بْنُ سُلَيْمَانَ. حَدَّثَنَا مُوسَىٰ بْنُ عُقْبَةَ. حَدَّثَنَا إِسْحَاقُ بْنُ يَحْيَىٰ بْنِ الْوَلِيدِ، عَنْ عُبَادَةَ بْنِ الصَّامِتِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَضَىٰ أَنْ: «**لاَ ضَرَرَ وَلاَ ضِرَارَ**».

2341 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا مَعْمَرٌ عَنْ جَابِرٍ الْجُعْفِيِّ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ ضَرَرَ وَلاَ ضِرَارَ**».

2342 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنْ يَحْيَىٰ بْنِ سَعِيدٍ، عَنْ مُحَمَّدِ بْنِ يَحْيَىٰ بْنِ حَبَّانَ، عَنْ لُؤْلُؤَةَ، عَنْ أَبِي صِرْمَةَ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «**مَنْ ضَارَّ أَضَرَّ اللَّهُ بِهِ، وَمَنْ شَاقَّ شَقَّ اللَّهُ عَلَيْهِ**».

18 ـ بابُ الرَّجُلانِ يَدَّعِيَانِ في خُصٍّ

2343 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ، وَعَمَّارُ بْنُ خَالِدٍ الْوَاسِطِيُّ. قَالاَ: حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ دَهْثَمِ بْنِ قُرَّانٍ، عَنْ نِمْرَانَ بْنِ جَارِيَةَ، عَنْ أَبِيهِ؛ أَنَّ قَوْماً اخْتَصَمُوا إِلَى النَّبِيِّ ﷺ فِي خُصٍّ كَانَ بَيْنَهُمْ. فَبَعَثَ حُذَيْفَةَ يَقْضِي بَيْنَهُمْ. فَقَضَى لِلَّذِينَ يَلِيهِمُ الْقِمْطُ. فَلَمَّا رَجَعَ إِلَى النَّبِيِّ ﷺ أَخْبَرَهُ فَقَالَ: «**أَصَبْتَ وَأَحْسَنْتَ**».

19 ـ بابُ مَنِ اشْتَرَطَ الخَلاصَ

2344 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا أَبُو الْوَلِيدِ. حَدَّثَنَا هَمَّامٌ عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، عَنْ سَمُرَةَ بْنِ جُنْدَبٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «**إِذَا بِيعَ الْبَيْعُ مِنْ رَجُلَيْنِ، فَالْبَيْعُ لِلأَوَّلِ**».

قَالَ أَبُو الْوَلِيدِ: فِي هٰذَا الْحَدِيثِ إِبْطَالُ الْخَلاَصِ.

20 ـ بابُ القَضاءِ بالقُرْعَةِ

2345 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ، وَمُحَمَّدُ بْنُ الْمُثَنَّى. قَالاَ: حَدَّثَنَا عَبْدُ الأَعْلَىٰ. حَدَّثَنَا خَالِدٌ الْحَذَّاءُ، عَنْ أَبِي قِلاَبَةَ، عَنْ أَبِي الْمُهَلَّبِ، عَنْ عِمْرَانَ بْنِ حُصَيْنٍ؛ أَنَّ رَجُلاً كَانَ لَهُ سِتَّةُ مَمْلُوكِينَ. لَيْسَ لَهُ مَالٌ غَيْرُهُمْ. فَأَعْتَقَهُمْ عِنْدَ مَوْتِهِ.

them when he died. But the Messenger of Allah "Allah's blessing and peace be upon him" made them into (three) parts and (by drawing lots among them) he emancipated two, and kept (the remaining) four as slaves.

2346- It is narrated on the authority of Abu Hurairah that two men fell in dispute over a sold thing (they claimed they had bought), and none of them had an evidence (to confirm his claim), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" commanded them to draw lots on (which of them would start with) taking oath, willingly or unwillingly.

2347- It is narrated on the authority of A'ishah that whenever the Messenger of Allah "Allah's blessing and peace be upon him" set out on journey, he would draw lots among his wives (to choose from amongst them the one upon whom the lot would fall to accompany him).

2348- It is narrated on the authority of Zaid Ibn Arqam that while Ali Ibn Abu Talib was in Yemen, three men were brought to him, and they had sexual relation with the same woman during her cleanness (before she got the coming menses). He asked two of them: "Do you affirm the child to this man?" they answered in the negative. He asked other two: "Do you affirm the child to this man?" they answered in the negative. Every time he asked two of them whether they should affirm the child to the third, they would answer in the negative, thereupon he drew lots among them, and joined the child to such as on whom the lot fell, and made two-thirds the price (of the slave-girl) due upon him (since she moved to him on account of that judgement). When a mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon him", he laughed until his premolar teeth became visible.

[21] What About The Tracer Of Lineage With The Help Of Resemblance And Features

2349- It is narrated on the authority of A'ishah that she said: One day, The Messenger of Allah "Allah's blessing and peace be upon him" entered upon me as pleased and said: "O A'ishah! Did you not know that Mujazzaz Al-Mudliji visited me, and saw both Zaid and Usamah who were lying, with a rug covering their heads, while their feet were naked, then he said: "Their feet are related to one another (as being for a father and his son)"?"

2350- It is narrated on the authority of Ibn Abbas that the Quraish people went to a soothsayer from amongst women and asked her: "Which among us is the most similar to the lord of this Station (i.e. the most ready to follow Abraham's ways)?" she said: "If you drag a cloth on this rough sand on which you walked, I would tell you." They dragged a cloth, on which

فَجَزَّأَهُمْ رَسُولُ اللَّهِ ﷺ. فَأَعْتَقَ اثْنَيْنِ وَأَرَقَّ أَرْبَعَةً.

2346 ـ **حدّثنا** جَمِيلُ بْنُ الْحَسَنِ الْعَتَكِيُّ. حَدَّثَنَا عَبْدُ الأَعْلَى. حَدَّثَنَا سَعِيدٌ، عَنْ قَتَادَةَ، عَنْ خِلاَسٍ، عَنْ أَبِي رَافِعٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَجُلَيْنِ تَدَارَءَا فِي بَيْعٍ. لَيْسَ لِوَاحِدٍ مِنْهُمَا بَيِّنَةٌ. فَأَمَرَهُمَا رَسُولُ اللَّهِ ﷺ أَنْ يَسْتَهِمَا عَلَى الْيَمِينِ. أَحَبَّا ذٰلِكَ أَمْ كَرِهَا.

2347 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَى بْنُ يَمَانٍ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا سَافَرَ أَقْرَعَ بَيْنَ نِسَائِهِ.

2348 ـ **حدّثنا** إِسْحَاقُ بْنُ مَنْصُورٍ. أَنْبَأَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا الثَّوْرِيُّ، عَنْ صَالِحٍ الْهَمْدَانِيِّ، عَنِ الشَّعْبِيِّ، عَنْ عَبْدِ خَيْرٍ الْحَضْرَمِيِّ، عَنْ زَيْدِ بْنِ أَرْقَمَ؛ قَالَ: أُتِيَ عَلِيُّ بْنُ أَبِي طَالِبٍ، وَهُوَ بِالْيَمَنِ، فِي ثَلاَثَةٍ قَدْ وَقَعُوا عَلَى امْرَأَةٍ فِي طُهْرٍ وَاحِدٍ. فَسَأَلَ اثْنَيْنِ. فَقَالَ: أَتُقِرَّانِ لِهٰذَا بِالْوَلَدِ؟ فَقَالاَ: لاَ. ثُمَّ سَأَلَ اثْنَيْنِ. فَقَالَ: أَتُقِرَّانِ لِهٰذَا بِالْوَلَدِ؟ فَقَالاَ: لاَ. فَجَعَلَ كُلَّمَا سَأَلَ اثْنَيْنِ: أَتُقِرَّانِ لِهٰذَا بِالْوَلَدِ؟ قَالاَ: لاَ. فَأَقْرَعَ بَيْنَهُمْ. وَأَلْحَقَ الْوَلَدَ بِالَّذِي أَصَابَتْهُ الْقُرْعَةُ. وَجَعَلَ عَلَيْهِ ثُلُثَيِ الدِّيَةِ. فَذُكِرَ ذٰلِكَ لِلنَّبِيِّ ﷺ فَضَحِكَ حَتَّى بَدَتْ نَوَاجِذُهُ.

21 ـ بَابُ الْقَافَةِ

2349 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَهِشَامُ بْنُ عَمَّارٍ، وَمُحَمَّدُ بْنُ الصَّبَّاحِ. قَالُوا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ؛ قَالَتْ: دَخَلَ رَسُولُ اللَّهِ ﷺ ذَاتَ يَوْمٍ مَسْرُوراً وَهُوَ يَقُولُ: «**يَا عَائِشَةُ أَلَمْ تَرَيْ أَنَّ مُجَزِّزاً الْمُدْلِجِيَّ دَخَلَ عَلَيَّ فَرَأَى أُسَامَةَ وَزَيْداً، عَلَيْهِمَا قَطِيفَةٌ، قَدْ غَطَّيَا رُؤُوسَهُمَا وَقَدْ بَدَتْ أَقْدَامُهُمَا. فَقَالَ: إِنَّ هٰذِهِ الأَقْدَامَ، بَعْضُهَا مِنْ بَعْضٍ؟**».

2350 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَى. حَدَّثَنَا مُحَمَّدُ بْنُ يُوسُفَ. حَدَّثَنَا إِسْرَائِيلُ. حَدَّثَنَا سِمَاكُ بْنُ حَرْبٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ قُرَيْشاً أَتَوُا امْرَأَةً كَاهِنَةً. فَقَالُوا لَهَا: أَخْبِرِينَا أَشْبَهَنَا أَثَراً بِصَاحِبِ الْمَقَامِ. فَقَالَتْ: إِنْ أَنْتُمْ جَرَرْتُمْ كِسَاءً عَلَى هٰذِهِ السَّهْلَةِ، ثُمَّ مَشَيْتُمْ عَلَيْهَا، أَنْبَأْتُكُمْ. قَالَ، فَجَرُّوا كِسَاءً. ثُمَّ مَشَى النَّاسُ عَلَيْهَا.

they walked, and she saw the footprints of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon she said (referring to him): "This (man) is the most similar to him from amongst you all." Twenty years later, or what Allah willed, Allah Almighty sent Muhammad "Allah's blessing and peace be upon him" (as a Prophet).

[22] When The Boy Is Given The Freedom To Choose (To Stay With) One Of His Parents

2351- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" gave a boy the freedom to choose (to live with) one of his parents, and said to him: "O boy! This is your mother! And this is your father!" (so as to choose whichever of them to live with).

2352- It is narrated on the authority of Abd Al-Hamid Ibn Salamah from his father from his grandfather that his parents who were opponents sought the judgement of the Messenger of Allah "Allah's blessing and peace be upon him" (to give the child to anyone of them): one of them was a Muslim and the other a pagan, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" gave him the freedom to choose (whichever of them to live with), and he first inclined to the pagan. He invoked (Allah for him saying): "O Allah! Guide him!" then, he inclined to the Muslim, and he judged that he should be given to him.

[23] What About Reconciliation

2353- It is narrated on the authority of Kathir Ibn Abdullah Ibn Amr Ibn Awf from his father from his grandfather that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The reconciliation between Muslims is permissible so long as it does not make lawful what is unlawful, nor does it make unlawful what is lawful."

[24] Limiting The Legal Competence Of Such As wastes His Property

2354- It is narrated on the authority of Anas Ibn Malik that during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", there was a weak-minded man, and he used to engage himself in transactions, thereupon his family came to the Messenger of Allah "Allah's blessing and peace be upon him" and asked him to limit his legal competence. The Messenger of Allah "Allah's blessing and peace be upon

فَأَبْصَرَتْ أَثَرَ رَسُولِ اللَّهِ ﷺ. فَقَالَتْ: هٰذَا أَقْرَبُكُمْ إِلَيْهِ شَبَهاً. ثُمَّ مَكَثُوا بَعْدَ ذٰلِكَ عِشْرِينَ سَنَةً، أَوْ مَا شَاءَ اللَّهُ، ثُمَّ بَعَثَ اللَّهُ مُحَمَّداً ﷺ.

22 ـ بابُ تَخْيِيرِ الصَّبِيِّ بَيْنَ أَبَوَيْهِ

2351 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ زِيَادِ بْنِ سَعْدٍ، عَنْ هِلاَلِ بْنِ أَبِي مَيْمُونَةَ، عَنْ أَبِي مَيْمُونَةَ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ خَيَّرَ غُلاَماً بَيْنَ أَبِيهِ وَأُمِّهِ. وَقَالَ: «**يَا غُلاَمُ هٰذِهِ أُمُّكَ وَهٰذَا أَبُوكَ**».

2352 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنْ عُثْمَانَ الْبَتِّيِّ، عَنْ عَبْدِ الْحَمِيدِ بْنِ سَلَمَةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ أَبَوَيْهِ اخْتَصَمَا إِلَى النَّبِيِّ ﷺ. أَحَدُهُمَا كَافِرٌ وَالآخَرُ مُسْلِمٌ. فَخَيَّرَهُ فَتَوَجَّهَ إِلَى الْكَافِرِ. فَقَالَ: «**اللَّهُمَّ اهْدِهِ**» فَتَوَجَّهَ إِلَى الْمُسْلِمِ. فَقَضَى لَهُ بِهِ.

23 ـ بابُ الصُّلْحِ

2353 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ. حَدَّثَنَا كَثِيرُ بْنُ عَبْدِ اللَّهِ بْنِ عَمْرِو بْنِ عَوْفٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الصُّلْحُ جَائِزٌ بَيْنَ الْمُسْلِمِينَ. إِلاَّ صُلْحاً حَرَّمَ حَلاَلاً، أَوْ أَحَلَّ حَرَاماً**».

24 ـ بابُ الحَجْرِ على مَنْ يُفْسِدُ مَالَهُ

2354 ـ **حدّثنا** أَزْهَرُ بْنُ مَرْوَانَ. حَدَّثَنَا عَبْدُ الأَعْلَى. حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ أَنَّ رَجُلاً كَانَ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ، فِي عُقْدَتِهِ ضَعْفٌ، وَكَانَ يُبَايِعُ، وَأَنَّ أَهْلَهُ أَتَوُا النَّبِيَّ ﷺ فَقَالُوا: يَا رَسُولَ اللَّهِ احْجُرْ عَلَيْهِ. فَدَعَاهُ

him" invited him, and tried to forbid him, but the man said to him: "O Messenger of Allah! I could not help enter into transaction." On that he said to him: "When you enter into transaction (with others) say: "Here it is, and there should be no cheating."

2355- It is narrated on the authority of Muhammad Ibn Yahya Ibn Hibban that he said: My grandfather Munqidh Ibn Amr was head-wounded, which resulted in an impediment in his tongue, even though he did not leave traffic, but he was always deceived (by others). He came to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon he said: "If you enter into transaction (with another) say: "There should be no cheating!" furthermore, you have a three-night freedom to choose (to confirm or cancel your) buying of any of your goods: if you are satisfied you could keep it, and if you are displeased, you could give it back to its owner (from whom you purchase it)."

[25] Making Public The Bankruptcy Of The Insolvent Person, And Selling His Possessions In Favour Of His Creditors

2356- It is narrated on the authority of Abu Sa'id that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", a man was given to a great loss because of fruits he had purchased, and his debts (to others) grew much more, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give him in charity (in order to be able to fulfill his debts)!" They did accordingly, but that (he received) was not sufficient to fulfill his debts. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to them, i.e. his creditors: "Take only what you find in his possession, and you have nothing to do to him more than that."

2357- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" released Mu'adh Ibn Jabal from his creditors (by giving them his property), and then he appointed him (as governor) of Yemen. Mu'adh said: Verily, the Messenger of Allah "Allah's blessing and peace be upon him" relieved me (of my debts) with the help of my property and then appointed me (as governor of Yemen).

[26] When One Finds His Very Things In The Possession Of A Bankrupt

2358- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When one finds his very things in the possession of a bankrupt person (to whom

النَّبِيُّ ﷺ. فَنَهَاهُ عَنْ ذٰلِكَ. فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي لاَ أَصْبِرُ عَنِ الْبَيْعِ. فَقَالَ: «**إِذَا بَايَعْتَ فَقُلْ: هَا. وَلاَ خِلاَبَةَ**».

2355 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبْدُ الأَعْلَىٰ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ يَحْيَىٰ بْنِ حَبَّانَ قَالَ: هُوَ جَدِّي مُنْقِذُ بْنُ عَمْرٍو. وَكَانَ رَجُلاً قَدْ أَصَابَتْهُ آمَّةٌ فِي رَأْسِهِ فَكَسَرَتْ لِسَانَهُ. وَكَانَ لاَ يَدَعُ، عَلَى ذٰلِكَ، التِّجَارَةَ. وَكَانَ لاَ يَزَالُ يُغْبَنُ. فَأَتَىٰ النَّبِيَّ ﷺ فَذَكَرَ ذٰلِكَ لَهُ. فَقَالَ لَهُ: «**إِذَا أَنْتَ بَايَعْتَ فَقُلْ: لاَ خِلاَبَةَ. ثُمَّ أَنْتَ فِي كُلِّ سِلْعَةٍ ابْتَعْتَهَا بِالْخِيَارِ ثَلاَثَ لَيَالٍ. فَإِنْ رَضِيتَ فَأَمْسِكْ، وَإِنْ سَخِطْتَ فَارْدُدْهَا عَلَى صَاحِبِهَا**».

25 ـ بَابُ تَفْلِيسِ الْمُعْدَمِ وَالْبَيْعِ عَلَيْهِ لِغُرَمَائِهِ

2356 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا شَبَابَةُ. حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الأَشَجِّ، عَنْ عِيَاضِ بْنِ عَبْدِ اللَّهِ بْنِ سَعْدٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: أُصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ فِي ثِمَارٍ ابْتَاعَهَا. فَكَثُرَ دَيْنُهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**تَصَدَّقُوا عَلَيْهِ**» فَتَصَدَّقَ النَّاسُ عَلَيْهِ. فَلَمْ يَبْلُغْ ذٰلِكَ وَفَاءَ دَيْنِهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**خُذُوا مَا وَجَدْتُمْ، وَلَيْسَ لَكُمْ إِلاَّ ذٰلِكَ**» يَعْنِي الْغُرَمَاءَ.

2357 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا أَبُو عَاصِمٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُسْلِمِ بْنِ هُرْمُزٍ، عَنْ سَلَمَةَ الْمَكِّيِّ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ خَلَعَ مُعَاذَ بْنَ جَبَلٍ مِنْ غُرَمَائِهِ. ثُمَّ اسْتَعْمَلَهُ عَلَى الْيَمَنِ. فَقَالَ مُعَاذٌ: إِنَّ رَسُولَ اللَّهِ ﷺ اسْتَخْلَصَنِي بِمَالِي ثُمَّ اسْتَعْمَلَنِي.

26 ـ بَابٌ مَنْ وَجَدَ مَتَاعَهُ بِعَيْنِهِ عِنْدَ رَجُلٍ قَدْ أَفْلَسَ

2358 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، جَمِيعاً عَنْ يَحْيَىٰ بْنِ سَعِيدٍ، عَنْ أَبِي بَكْرِ بْنِ مُحَمَّدِ بْنِ عَمْرِو بْنِ حَزْمٍ، عَنْ عُمَرَ بْنِ عَبْدِ الْعَزِيزِ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ الْحٰرِثِ بْنِ هِشَامٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ وَجَدَ مَتَاعَهُ بِعَيْنِهِ عِنْدَ رَجُلٍ قَدْ أَفْلَسَ، فَهُوَ أَحَقُّ بِهِ مِنْ غَيْرِهِ**».

he has sold them and has not yet received the price), he has more right to take them back than anyone else."

2359- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one sells a thing, and then he finds his very thing in the possession of a bankrupt person (to whom he has sold it) and has not yet received anything of the price, it should be brought back to him; and if he has received any portion of its price, then, he should be dealt with like the creditors."

2360- It is narrated on the authority of Ibn Khaldah Az-Zuraqi, and he was a judge in Medina that he said: We came to Abu Hurairah (to seek his verdict) pertaining to a companion of ours who became bankrupt, thereupon Abu Hurairah said: This is (like the) one, in whose connection the Messenger of Allah "Allah's blessing and peace be upon him" passed his judgement that "If one becomes bankrupt or dies, the owner of the thing is more entitled to take it back in case he finds it (and he has not yet received anything of its price)."

2361- It is narrated on the authority of Abu Hurairah: Allah's Apostle "Allah's blessing and peace be upon him" said: "When one dies and he has the property of another, whether he (the latter) has or has not taken anything of its (price), he should be dealt with like the creditors."

[27] It Is Hateful To Give Witness When One Is Not Asked For It

2362- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Prophet "Allah's blessing and peace be upon him" was asked about the best of people, thereupon he said: "The people of my generation are the best, then those who follow them, and then those who follow them (the second generation). After that there will come some people the witness of anyone of whom will go ahead of his oath, and his oath will go ahead of his witness."

2363- It is narrated on the authority of Jabir Ibn Samurah that he said: Umar Ibn Al-Khattab stood (as a lecturer) in us, and said: The Messenger of Allah "Allah's blessing and peace be upon him" stood (as a lecturer) in us the same as I am now in you and then he addressed us saying: "Take care of my companions for my sake, and then those who will follow them, and then those who will follow them; and then telling lies will become widespread (among the people) to the extent that a man will (hasten to) give witness, even though he will not be asked to do so, and further take oath, even though he will not be asked to do so."

2359 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنِ الزُّهْرِيِّ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ الْحٰرِثِ بْنِ هِشَامٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«أَيُّمَا رَجُلٍ بَاعَ سِلْعَةً، فَأَدْرَكَ سِلْعَتَهُ بِعَيْنِهَا عِنْدَ رَجُلٍ، وَقَدْ أَفْلَسَ، وَلَمْ يَكُنْ قَبَضَ مِنْ ثَمَنِهَا شَيْئاً، فَهِيَ لَهُ. وَإِنْ كَانَ قَبَضَ مِنْ ثَمَنِهَا شَيْئاً، فَهُوَ أُسْوَةٌ لِلْغُرَمَاءِ»**.

2360 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ وَعَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. قَالاَ: حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنْ أَبِي الْمُعْتَمِرِ بْنِ عَمْرِو بْنِ رَافِعٍ، عَنِ ابْنِ خَلْدَةَ الزُّرَقِيِّ، وَكَانَ قَاضِياً بِالْمَدِينَةِ قَالَ: جِئْنَا أَبَا هُرَيْرَةَ فِي صَاحِبٍ لَنَا قَدْ أَفْلَسَ. فَقَالَ: هٰذَا الَّذِي قَضَى فِيهِ النَّبِيُّ ﷺ: **«أَيُّمَا رَجُلٍ مَاتَ أَوْ أَفْلَسَ، فَصَاحِبُ الْمَتَاعِ أَحَقُّ بِمَتَاعِهِ. إِذَا وَجَدَهُ بِعَيْنِهِ»**.

2361 ـ **حدّثنا** عَمْرُو بْنُ عُثْمَانَ بْنِ سَعِيدِ بْنِ كَثِيرِ بْنِ دِينَارٍ الْحِمْصِيُّ. حَدَّثَنَا الْيَمَانُ بْنُ عَدِيٍّ. حَدَّثَنِي الزَّبِيدِيُّ مُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ، عَنِ الزُّهْرِيِّ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«أَيُّمَا امْرِىءٍ مَاتَ وَعِنْدَهُ مَالُ امْرِىءٍ بِعَيْنِهِ، اقْتَضَى مِنْهُ شَيْئاً أَوْ لَمْ يَقْتَضِ، فَهُوَ أُسْوَةٌ لِلْغُرَمَاءِ»**.

27 ـ بَابُ كَرَاهِيَةِ الشَّهَادَةِ لِمَنْ لَمْ يُسْتَشْهَدْ

2362 ـ **حدّثنا** عُثْمَانُ بْنُ أَبِي شَيْبَةَ وَعَمْرُو بْنُ رَافِعٍ، قَالاَ: حَدَّثَنَا جَرِيرٌ عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنْ عَبِيدَةَ السَّلْمَانِيِّ قَالَ: قَالَ عَبْدُ اللَّهِ بْنُ مَسْعُودٍ: سُئِلَ رَسُولُ اللَّهِ ﷺ: أَيُّ النَّاسِ خَيْرٌ؟ قَالَ: **«قَرْنِي، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ الَّذِينَ يَلُونَهُمْ. ثُمَّ يَجِيءُ قَوْمٌ تَبْدُرُ شَهَادَةُ أَحَدِهِمْ يَمِينَهُ، وَيَمِينُهُ شَهَادَتَهُ»**.

2363 ـ **حدّثنا** عَبْدُ اللَّهِ بْنُ الْجَرَّاحِ. حَدَّثَنَا جَرِيرٌ عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ، عَنْ جَابِرِ بْنِ سَمُرَةَ. قَالَ: خَطَبَنَا عُمَرُ بْنُ الْخَطَّابِ بِالْجَابِيَةِ فَقَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ قَامَ فِينَا مِثْلَ مُقَامِي فِيكُمْ فَقَالَ: **«احْفَظُونِي فِي أَصْحَابِي. ثُمَّ الَّذِينَ يَلُونَهُمْ. ثُمَّ الَّذِينَ يَلُونَهُمْ. ثُمَّ يَفْشُو الْكَذِبُ حَتَّى يَشْهَدَ الرَّجُلُ وَمَا يُسْتَشْهَدُ. وَيَحْلِفَ وَمَا يُسْتَحْلَفُ»**.

[28] When One Has A Witness Even Though Such As It Is In Whose Favour Knows Not

2364- It is narrated on the authority of Zaid Ibn Khalid Al-Juhani that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The best witness is such as gives it before he is asked to give it (when the judge has no knowledge that he has witness)."

[29] Taking Witnesses To The Future Obligations

2365- It is narrated on the authority of Abu Sa'id Al-Khudri that he recited Allah's saying: "You who believe! When you deal with each other, in transactions involving future obligations in a fixed period of time, reduce them to writing" and when he came to Allah's saying: "And if one of you deposits a thing on trust with another, let the trustee (faithfully) discharge his trust" he said: This (latter) statement abrogated that prior to it.

[30] What About Such As Whose Witness Should Not Be Accepted

2266- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No witness should be accepted from a betrayer, be it male or female, or one (whose knowledge of the principles of) Islam is limited, or one who has hatred towards his brother (in connection with whom he gives witness)."

2367- It is narrated on the authority of Abu Hurairah that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "No witness should be accepted from a desert dweller against a town dweller."

[31] Passing The Judgement Depending Upon A Witness (To Affirm The Claim) And An Oath (To Refute It)

2368- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" passed his judgement depending upon an oath (taken by the claimant) along with the witness, (in substitution for the other witness he should have).

2369- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" passed a judgement depending upon the oath (taken by the plaintiff) along with the witness (he had; and this oath acted as another witness for everyone should have two witnesses to support his claim).

28 ـ بابُ الرَّجُلُ عِنْدَهُ الشَّهَادَةُ لا يَعْلَمُ بها صَاحِبُها

2364 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ عَبْدِ الرَّحْمٰنِ الْجُعْفِيُّ قَالاَ: حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ الْعُكْلِيُّ. أَخْبَرَنِي أُبَيُّ بْنُ عَبَّاسِ بْنِ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيُّ. حَدَّثَنِي أَبُو بَكْرِ بْنُ عَمْرِو بْنِ حَزْمٍ. حَدَّثَنِي مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ عَمْرِو بْنِ عُثْمَانَ بْنِ عَفَّانَ. حَدَّثَنِي خَارِجَةُ بْنُ زَيْدِ بْنِ ثَابِتٍ. أَخْبَرَنِي عَبْدُ الرَّحْمٰنِ بْنُ أَبِي عَمْرَةَ الأَنْصَارِيُّ؛ أَنَّهُ سَمِعَ زَيْدَ بْنَ خَالِدٍ الْجُهَنِيَّ يَقُولُ: إِنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**خَيْرُ الشُّهُودِ مَنْ أَدَّى شَهَادَتَهُ قَبْلَ أَنْ يُسْأَلَهَا**».

29 ـ بابُ الإِشْهَادِ على الدُّيُونِ

2365 ـ **حدّثنا** عُبَيْدُ اللَّهِ بْنُ يُوسُفَ الْجُبَيْرِيُّ، وَجَمِيلُ بْنُ الْحَسَنِ الْعَتَكِيُّ. قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ مَرْوَانَ الْعِجْلِيُّ. حَدَّثَنَا عَبْدُ الْمَلِكِ بْنُ أَبِي نَضْرَةَ، عَنْ أَبِيهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: تَلاَ هٰذِهِ الآيَةَ: ﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى﴾ [البقرة: 282] حَتَّى بَلَغَ: ﴿فَإِنْ أَمِنَ بَعْضُكُم بَعْضًا﴾ [البقرة: 283] فَقَالَ: هٰذِهِ نَسَخَتْ مَا قَبْلَهَا.

30 ـ بابُ مَنْ لا تَجُوزُ شَهَادَتُهُ

2366 ـ **حدّثنا** أَيُّوبُ بْنُ مُحَمَّدٍ الرَّقِّيُّ. حَدَّثَنَا مَعْمَرُ بْنُ سُلَيْمَانَ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ قَالاَ: حَدَّثَنَا حَجَّاجُ بْنُ أَرْطَاةَ عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَجُوزُ شَهَادَةُ خَائِنٍ وَلاَ خَائِنَةٍ، وَلاَ مَخْدُودٍ فِي الإِسْلاَمِ، وَلاَ ذِي غِمْرٍ عَلَى أَخِيهِ**».

2367 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَخْبَرَنِي نَافِعُ بْنُ يَزِيدَ، عَنِ ابْنِ الْهَادِ، عَنْ مُحَمَّدِ بْنِ عَمْرِو بْنِ عَطَاءٍ، عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لاَ تَجُوزُ شَهَادَةُ بَدَوِيٍّ عَلَى صَاحِبِ قَرْيَةٍ**».

31 ـ بابُ القَضَاءِ بالشَّاهِدِ واليَمِينِ

2368 ـ **حدّثنا** أَبُو مُصْعَبٍ الْمَدِينِيُّ، أَحْمَدُ بْنُ عَبْدِ اللَّهِ الزُّهْرِيُّ، وَيَعْقُوبُ بْنُ إِبْرَاهِيمَ الدَّوْرَقِيُّ، قَالاَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ الدَّرَاوَرْدِيُّ، عَنْ رَبِيعَةَ بْنِ أَبِي عَبْدِ الرَّحْمٰنِ، عَنْ سُهَيْلِ بْنِ أَبِي صَالِحٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَضَى بِالْيَمِينِ مَعَ الشَّاهِدِ.

2369 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا عَبْدُ الْوَهَّابِ. حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ عَنْ أَبِيهِ، عَنْ جَابِرٍ؛ أَنَّ النَّبِيَّ ﷺ قَضَى بِالْيَمِينِ مَعَ الشَّاهِدِ.

2370- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" passed his judgement depending upon an oath (taken by the plaintiff) along with a witness (he had; and this oath acted as another witness for everyone should have two witnesses).

2371- It is narrated on the authority of Surraq that the Messenger of Allah "Allah's blessing and peace be upon him" accepted both the witness and the oath taken by the plaintiff (to support his claim).

[32] What About The False Witness

2372- It is narrated on the authority of Khuraim Ibn Fatik Al-Asadi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" offered the Morning prayer, and when he (finished and) turned away, he stood up (and addressed us) saying: "The false witness is made to be equal to ascribing partners to Allah (in worship)" thrice, after which he recited: "and shun the word that is false, Being true in faith to Allah, and never assign partners to Him." (Al-Hajj 30:31)

2373- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The feet of such as gives false witness will not move until the fire (of Hell) is assured by Allah to him."

[33] The Witness Of Those Of Scripture Against Each Other

2374- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" accepted the witness of those of Scripture against each other.

2370 ـ **حدّثنا** أَبُو إِسْحَاقَ الْهَرَوِيُّ إِبْرَاهِيمُ بْنُ عَبْدِ اللَّهِ بْنِ حَاتِمٍ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْحَرِثِ الْمَخْزُومِيُّ. حَدَّثَنَا سَيْفُ بْنُ سُلَيْمَانَ الْمَكِّيُّ. أَخْبَرَنِي قَيْسُ بْنُ سَعْدٍ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَضَى رَسُولُ اللَّهِ ﷺ بِالشَّاهِدِ وَالْيَمِينِ.

2371 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. أَنْبَأَنَا جُوَيْرِيَةُ بْنُ أَسْمَاءَ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يَزِيدَ، مَوْلَى الْمُنْبَعِثِ، عَنْ رَجُلٍ مِنْ أَهْلِ مِصْرَ، عَنْ سُرَّقٍ؛ أَنَّ النَّبِيَّ ﷺ أَجَازَ شَهَادَةَ الرَّجُلِ وَيَمِينَ الطَّالِبِ.

32 ـ بابُ شَهَادَةِ الزُّورِ

2372 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ. حَدَّثَنَا سُفْيَانُ الْعُصْفُرِيُّ عَنْ أَبِيهِ، عَنْ حَبِيبِ بْنِ النُّعْمَانِ الأَسَدِيِّ، عَنْ خُرَيْمِ بْنِ فَاتِكٍ الأَسَدِيِّ؛ قَالَ: صَلَّى النَّبِيُّ ﷺ الصُّبْحَ. فَلَمَّا انْصَرَفَ قَامَ قَائِماً. فَقَالَ: «**عُدِلَتْ شَهَادَةُ الزُّورِ بِالإِشْرَاكِ بِاللَّهِ**» ثَلاَثَ مَرَّاتٍ. ثُمَّ تَلاَ هٰذِهِ الآيَةَ: ﴿وَٱجْتَنِبُواْ قَوْلَ ٱلزُّورِ ۝٣٠ حُنَفَآءَ لِلَّهِ غَيْرَ مُشْرِكِينَ بِهِۦ﴾ [الحج: 30، 31].

2373 ـ **حدّثنا** سُوَيْدُ بْنُ سَعِيدٍ. حَدَّثَنَا مُحَمَّدُ بْنُ الْفُرَاتِ، عَنْ مُحَارِبِ بْنِ دِثَارٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَنْ تَزُولَ قَدَمَا شَاهِدِ الزُّورِ حَتَّى يُوجِبَ اللَّهُ لَهُ النَّارَ**».

33 ـ بابُ شَهَادَةِ أَهْلِ الكِتَابِ بَعْضِهِمْ على بَعْضٍ

2374 ـ **حدّثنا** مُحَمَّدُ بْنُ طَرِيفٍ. حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ مُجَالِدٍ، عَنْ عَامِرٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ أَجَازَ شَهَادَةَ أَهْلِ الْكِتَابِ بَعْضِهِمْ عَلَى بَعْضٍ.

(14) THE BOOK OF GIFTS

[1] When A Man Gives A Gift To His Son

2375- It is narrated on the authority of An-Nu'man Ibn Bashir that his father went with him to the Messenger of Allah "Allah's blessing and peace be upon him" and said to him: "Be witness to the fact that I've given as a gift this son of mine such and such (things) out of my property." He said: "Have you given all of your sons the same as you've given An-Nu'man?" he answered in the negative, he said: "Then, make anyone else other than me witness to that." He further asked him: "Would you not be pleased to have all of them (i.e. your sons) equally dutiful and kind to you?" he answered in the affirmative. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, it is not" (i.e. do not give him anything apart from them).

2376- It is narrated on the authority of An-Nu'man Ibn Bashir that his father gave him a slave as a gift, and he went to the Messenger of Allah "Allah's blessing and peace be upon him" to make him witness to that, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Have you given all of your sons the same?" he answered in the negative. On that he said to him: "Then, take him (the slave) back."

[2] When A Father Gives A Gift To His Son, And Takes It Back

2377- It is narrated on the authority of both Ibn Abbas and Ibn Umar, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "It is unlawful for a man to give a gift and then take it back, except when a father gives a gift to his son" (in this case he has the right to take it back).

2378- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for anyone to take back what he gives as a gift, except when a father gives a gift to his son" (for he has the right to take it back if he so likes).

[3] The Lifetime Gift

Comment: (It is that a man gives a gift to another, stipulating the condition that it is for him as long as he is alive; and in some cases, it is made permanent, i.e. to be taken also by his offspring after his death)

2379- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The

14 ـ كِتَابُ الهِبَاتِ

1 ـ بابُ الرَّجُلِ يَنْحَلُ وَلَدَهُ

2375 ـ **حدّثنا** أَبُو بِشْرٍ، بَكْرُ بْنُ خَلَفٍ. حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، عَنْ دَاوُدَ بْنِ أَبِي هِنْدٍ، عَنِ الشَّعْبِيِّ، عَنِ النُّعْمَانِ بْنِ بَشِيرٍ؛ قَالَ: انْطَلَقَ بِهِ أَبُوهُ يَحْمِلُهُ إِلَى النَّبِيِّ ﷺ. فَقَالَ: اِشْهَدْ أَنِّي قَدْ نَحَلْتُ النُّعْمَانَ مِنْ مَالِي كَذَا وَكَذَا. قَالَ: «**فَكُلُّ بَنِيكَ نَحَلْتَ مِثْلَ الَّذِي نَحَلْتَ النُّعْمَانَ؟**» قَالَ: لاَ. قَالَ: «**فَأَشْهِدْ عَلَى هٰذَا غَيْرِي**». قَالَ: «**أَلَيْسَ يَسُرُّكَ أَنْ يَكُونُوا لَكَ فِي الْبِرِّ سَوَاءً؟**» قَالَ: بَلَىٰ. قَالَ: «**فَلاَ إِذاً**».

2376 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ عَنِ الزُّهْرِيِّ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمٰنِ، وَمُحَمَّدِ بْنِ النُّعْمَانِ بْنِ بَشِيرٍ، أَخْبَرَاهُ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ أَنَّ أَبَاهُ نَحَلَهُ غُلاَماً. وَأَنَّهُ جَاءَ إِلَى النَّبِيِّ ﷺ يُشْهِدُهُ. فَقَالَ: «**أَكُلَّ وَلَدِكَ نَحَلْتَهُ؟**» قَالَ: لاَ. قَالَ: «**فَارْدُدْهُ**».

2 ـ بابُ مَنْ أَعْطَى وَلَدَهُ ثُمَّ رَجَعَ فِيهِ

2377 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ، وَأَبُو بَكْرِ بْنُ خَلاَّدٍ الْبَاهِلِيُّ. قَالاَ: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ حُسَيْنٍ الْمُعَلِّمِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ وَابْنِ عُمَرَ. يَرْفَعَانِ الْحَدِيثَ إِلَى النَّبِيِّ ﷺ قَالَ: «**لاَ يَحِلُّ لِلرَّجُلِ أَنْ يُعْطِيَ الْعَطِيَّةَ ثُمَّ يَرْجِعَ فِيهَا. إِلاَّ الْوَالِدَ فِيمَا يُعْطِي وَلَدَهُ**».

2378 ـ **حدّثنا** جَمِيلُ بْنُ الْحَسَنِ. حَدَّثَنَا عَبْدُ الأَعْلَىٰ. حَدَّثَنَا سَعِيدٌ، عَنْ عَامِرٍ الأَحْوَلِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ نَبِيَّ اللَّهِ ﷺ قَالَ: «**لاَ يَرْجِعْ أَحَدُكُمْ فِي هِبَتِهِ، إِلاَّ الْوَالِدَ مِنْ وَلَدِهِ**».

3 ـ بابُ العُمْرَى

2379 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا يَحْيَىٰ بْنُ زَكَرِيَّا بْنِ أَبِي زَائِدَةَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ عُمْرَى. فَمَنْ أُعْمِرَ شَيْئاً، فَهُوَ لَهُ**».

lifetime gift is not (fitting for the interests of people), even though, if one is given a lifetime gift, it should be for him."

2380- It is narrated on the authority of Jabir that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "If one gives a lifetime gift to a man and his offspring (after him), his statement has, indeed, abrogated his right (to take it back), and it then should be for such as to whom it is given and his offspring (after him)."

2381- It is narrated on the authority of Zaid Ibn Thabit that the Messenger of Allah "Allah's blessing and peace be upon him" gave the (right of the) lifetime gift to the heir.

[4] The Gift In Connection With Which Watching Death Is Observed

This kind of giving is that a man says to another: Get benefit from this thing of me, and if I die before you, it should be for you; and if you die before me, it should be brought back to me. In this case, each of them watches (and expects) the death of the other)

2382- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No gift in connection with which watching death is observed is (fitting for the interests of the people); and if one is given such, it should be for him during his lifetime and after his death." He said: The gift in connection with which watching death is observed is that a man says to another: This will be from me (to you as a gift) and from you (again to me) by the death (of any of us).

2383- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The gift in connection with which watching death is observed is permissible for such as given it (to accept); and the lifetime gift is also permissible for such as given it (to accept)."

[5] What About Taking Back The Gift

2384- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The example of such as takes back his gift is like the example of a dog, which eats, and when it is satisfied, it vomits, and then returns to eat its vomit once again."

2385- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as takes back his gift is like such as takes back (and eats) his vomit."

2380 ـ **حدّثنا** مُحَمَّدُ بْنُ رُمْحٍ. أَنْبَأَنَا اللَّيْثُ بْنُ سَعْدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ، عَنْ جَابِرٍ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ أَعْمَرَ رَجُلاً عُمْرَى لَهُ وَلِعَقِبِهِ، فَقَدْ قَطَعَ قَوْلُهُ حَقَّهُ فِيهَا. فَهِيَ لِمَنْ أُعْمِرَ وَلِعَقِبِهِ**».

2381 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ طَاوُسٍ، عَنْ حُجْرٍ الْمَدَرِيِّ، عَنْ زَيْدِ بْنِ ثَابِتٍ؛ أَنَّ النَّبِيَّ ﷺ جَعَلَ الْعُمْرَى لِلْوَارِثِ.

4 ـ بابُ الرُّقْبَى

2382 ـ **حدّثنا** إِسْحَاقُ بْنُ مَنْصُورٍ. أَنْبَأَنَا عَبْدُ الرَّزَّاقِ. أَنْبَأَنَا ابْنُ جُرَيْجٍ عَنْ عَطَاءٍ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ رُقْبَىٰ. فَمَنْ أُرْقِبَ شَيْئاً فَهُوَ لَهُ، حَيَاتَهُ وَمَمَاتَهُ**».

قَالَ: وَالرُّقْبَىٰ أَنْ يَقُولَ: هُوَ لِلآخِرِ مِنِّي وَمِنْكَ مَوْتاً.

2383 ـ **حدّثنا** عَمْرُو بْنُ رَافِعٍ. حَدَّثَنَا هُشَيْمٌ. ح وَحَدَّثَنَا عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا أَبُو مُعَاوِيَةَ قَالاَ: حَدَّثَنَا دَاوُدُ عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْعُمْرَى جَائِزَةٌ لِمَنْ أُعْمِرَهَا. وَالرُّقْبَىٰ جَائِزَةٌ لِمَنْ أُرْقِبَهَا**».

5 ـ بابُ الرُّجُوعِ في الهِبَةِ

2384 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عَوْفٍ، عَنْ خِلاَسٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ مَثَلَ الَّذِي يَعُودُ فِي عَطِيَّتِهِ، كَمَثَلِ الْكَلْبِ. أَكَلَ، حَتَّى إِذَا شَبِعَ قَاءَ. ثُمَّ عَادَ فِي قَيْئِهِ، فَأَكَلَهُ**».

2385 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ، وَمُحَمَّدُ بْنُ الْمُثَنَّى قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ. حَدَّثَنَا شُعْبَةُ قَالَ: سَمِعْتُ قَتَادَةَ يُحَدِّثُ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ**».

2386- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as takes back his gift is like a dog which takes back (and eats) its vomit."

[6] When One Gives A Gift In Expectation For Its Reward

2387- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The man is more entitled (to take back) his gift unless he is rewarded for it."

[7] What About The Gift Of A Woman Without The Leave Of Her Husband

2388- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for a woman to dispose of her property without the leave of her husband, in case she is under his guardianship."

2389- It is narrated on the authority of Abdullah Ibn Yahya, one of the grandsons of Ka'b Ibn Malik from his father from his grandfather that his grandmother Khairah, the wife of Ka'b Ibn Malik brought some ornaments belonging to her to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've given that in charity." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for a woman to dispose of her property without the leave of her husband: have you taken the permission of Ka'b?" she answered in the affirmative. The Messenger of Allah "Allah's blessing and peace be upon him" sent to Ka'b Ibn Malik, her husband, asking him: "Have you given permission to Khairah to give her ornaments in charity?" he answered in the affirmative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" accepted it from her.

2386 ـ **حدّثنا** أَحْمَدُ بْنُ عَبْدِ اللَّهِ بْنِ يُوسُفَ الْعَرْعَرِيُّ. حَدَّثَنَا يَزِيدُ بْنُ أَبِي حَكِيمٍ. حَدَّثَنَا الْعُمَرِيُّ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**الْعَائِدُ فِي هِبَتِهِ كَالْكَلْبِ يَعُودُ فِي قَيْئِهِ**».

6 ـ بابُ مَنْ وَهَبَ هِبَةً رَجَاءَ ثَوَابِهَا

2387 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ إِسْمَاعِيلَ، قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ إِسْمَاعِيلَ بْنِ مُجَمِّعِ بْنِ جَارِيَةَ الأَنْصَارِيُّ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الرَّجُلُ أَحَقُّ بِهِبَتِهِ مَا لَمْ يُثَبْ مِنْهَا**».

7 ـ بابُ عَطِيَّةِ المَرْأَةِ بِغَيْرِ إِذْنِ زَوْجِهَا

2388 ـ **حدّثنا** أَبُو يُوسُفَ الرَّقِّيُّ، مُحَمَّدُ بْنُ أَحْمَدَ الصَّيْدَلاَنِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ عَنِ الْمُثَنَّى بْنِ الصَّبَّاحِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ، فِي خُطْبَةٍ خَطَبَهَا: «**لاَ يَجُوزُ لامْرَأَةٍ فِي مَالِهَا، إِلاَّ بِإِذْنِ زَوْجِهَا، إِذَا هُوَ مَلَكَ عِصْمَتَهَا**».

2389 ـ **حدّثنا** حَرْمَلَةُ بْنُ يَحْيَى. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَخْبَرَنِي اللَّيْثُ بْنُ سَعْدٍ، عَنْ عَبْدِ اللَّهِ بْنِ يَحْيَى (رَجُلٌ مِنْ وَلَدِ كَعْبِ بْنِ مَالِكٍ) عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ جَدَّتَهُ خَيْرَةَ، امْرَأَةَ كَعْبِ بْنِ مَالِكٍ أَتَتْ رَسُولَ اللَّهِ ﷺ بِحُلِيٍّ لَهَا. فَقَالَتْ: إِنِّي تَصَدَّقْتُ بِهٰذَا. فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: «**لاَ يَجُوزُ لِلْمَرْأَةِ فِي مَالِهَا إِلاَّ بِإِذْنِ زَوْجِهَا. فَهَلِ اسْتَأْذَنْتِ كَعْباً؟**» قَالَتْ: نَعَمْ. فَبَعَثَ رَسُولُ اللَّهِ ﷺ إِلَى كَعْبِ بْنِ مَالِكٍ، زَوْجِهَا فَقَالَ: «**هَلْ أَذِنْتَ لِخَيْرَةَ أَنْ تَتَصَدَّقَ بِحُلِيِّهَا؟**» فَقَالَ: نَعَمْ. فَقَبِلَهُ رَسُولُ اللَّهِ ﷺ مِنْهَا.

(15) THE BOOK OF ALMS

[1] Taking Back The Alms

2390- It is narrated on the authority of Umar Ibn Al-Khattab that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not take back your alms (after giving it)."

2391- It is narrated on the authority of Abdullah Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The example of such as gives alms and then takes it back is like a dog which vomits and then eats its vomit (once again)."

[2] When One Gives Something In Charity And Then Finds It Being Sold: Could He Buy It

2392- It is narrated on the authority of Umar Ibn Abdullah Ibn Umar from his father from his grandfather that he gave a horse in charity during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", and later on he found it being sold for (a price) less (than its value). He came to the Messenger of Allah "Allah's blessing and peace be upon him" and told him of that, thereupon he said to him: "Do not purchase your (object of) charity" (after you have given it, for it is like taking it back).

2393- It is narrated on the authority of Az-Zubair Ibn Al-Awwam that he gave a horse called Ghamr or Ghamrah (in charity) for carriage (in the Cause of Allah); and later on he saw a baby mare belonging to his horse being sold, thereupon he forbade it.

[3] When One Gives (An Object Of) Charity And Then Inherits It

2394- It is narrated on the authority of Abdullah Ibn Buraidah from his father that he said: A woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I've given a slave-girl in charity to my mother, and she died." On that he said: "Allah has given you a reward for that, and restored to you the heritage."

2395- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "I've given (in charity) a garden of mine to my mother; and she died, and left no heir other than me." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "(The reward of) your charity has been affirmed (to you by Allah), and your garden has returned to you (as heritage)."

15 ـ كِتَابُ الصَّدَقَاتِ

1 ـ بابُ الرُّجُوعِ في الصَّدَقَةِ

2390 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا هِشَامُ بْنُ سَعْدٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ أَبِيهِ، عَنْ عُمَرَ بْنِ الْخَطَّابِ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لاَ تَعُدْ فِي صَدَقَتِكَ»**.

2391 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ. حَدَّثَنَا الأَوْزَاعِيُّ. حَدَّثَنِي أَبُو جَعْفَرٍ، مُحَمَّدُ بْنُ عَلِيٍّ. حَدَّثَنِي سَعِيدُ بْنُ الْمُسَيَّبِ. حَدَّثَنِي عَبْدُ اللَّهِ بْنُ الْعَبَّاسِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَثَلُ الَّذِي يَتَصَدَّقُ ثُمَّ يَرْجِعُ فِي صَدَقَتِهِ، مَثَلُ الْكَلْبِ يَقِيءُ ثُمَّ يَرْجِعُ فَيَأْكُلُ قَيْئَهُ»**.

2 ـ بابُ مَنْ تَصَدَّقَ بِصَدَقَةٍ فَوَجَدَهَا تُبَاعُ هَلْ يَشْتَرِيهَا؟

2392 ـ **حدّثنا** تَمِيمُ بْنُ الْمُنْتَصِرِ الْوَاسِطِيُّ. حَدَّثَنَا إِسْحَاقُ بْنُ يُوسُفَ، عَنْ شَرِيكٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ عُمَرَ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ. يَعْنِي عَنْ أَبِيهِ، عَنْ جَدِّهِ عُمَرَ؛ أَنَّهُ تَصَدَّقَ بِفَرَسٍ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ. فَأَبْصَرَ صَاحِبَهَا يَبِيعُهَا بِكَسْرٍ. فَأَتَى النَّبِيَّ ﷺ، فَسَأَلَهُ عَنْ ذٰلِكَ. فَقَالَ: **«لاَ تَبْتَعْ صَدَقَتَكَ»**.

2393 ـ **حدّثنا** يَحْيَىٰ بْنُ حَكِيمٍ. حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ. حَدَّثَنَا سُلَيْمَانُ التَّيْمِيُّ عَنْ أَبِي عُثْمَانَ النَّهْدِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَامِرٍ، عَنِ الزُّبَيْرِ بْنِ الْعَوَّامِ؛ أَنَّهُ حَمَلَ عَلَى فَرَسٍ يُقَالُ لَهُ غَمْرٌ أَوْ غَمْرَةٌ. فَرَأَى مُهْراً أَوْ مُهْرَةً مِنْ أَفْلاَئِهَا يُبَاعُ، يُنْسَبُ إِلَى فَرَسِهِ، فَنَهَىٰ عَنْهَا.

3 ـ بابُ مَنْ تَصَدَّقَ بِصَدَقَةٍ ثُمَّ وَرِثَها

2394 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ، عَنْ عَبْدِ اللَّهِ بْنِ عَطَاءٍ، عَنْ عَبْدِ اللَّهِ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ؛ قَالَ: جَاءَتِ امْرَأَةٌ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنِّي تَصَدَّقْتُ عَلَى أُمِّي بِجَارِيَةٍ. وَإِنَّهَا مَاتَتْ. فَقَالَ: **«آجَرَكِ اللَّهُ، وَرَدَّ عَلَيْكِ الْمِيرَاثَ»**.

2395 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ جَعْفَرٍ الرَّقِّيُّ. حَدَّثَنَا عُبَيْدُ اللَّهِ، عَنْ عَبْدِ الْكَرِيمِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنِّي أَعْطَيْتُ أُمِّي حَدِيقَةً لِي. وَإِنَّهَا مَاتَتْ وَلَمْ تَتْرُكْ وَارِثاً غَيْرِي. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«وَجَبَتْ صَدَقَتُكَ، وَرَجَعَتْ إِلَيْكَ حَدِيقَتُكَ»**.

[4] What About Endowments

2396- It is narrated on the authority of Nafi' from Ibn Umar: Umar Ibn Al-Khattab got some land in Khaibar and he went to The Prophet "Allah's blessing and peace be upon him" to consult him about it saying: "O Messenger of Allah! I got some land in Khaibar better than which I have never had, what do you suggest for me to do with it?" The Prophet "Allah's blessing and peace be upon him" said: "If you like you can give the land as endowment and give its yield in charity." So Umar gave it in charity as an endowment on the condition that it should neither be sold, nor given to anybody as a gift, nor be inherited. However, its yield would be given in charity to the poor people, to the Kith and kin, for manumitting slaves, in Allah's Cause, to the travellers and guests. But there would be no harm if the administrator of the endowment ate from it, according to his need, and fed others without the intention of getting wealthy from it.

2397- It is narrated on the authority of Ibn Umar that Umar Ibn Al-Khattab said: "O Messenger of Allah! I've never got a property much dearer to me than The (piece of land which is) one hundred shares I have in Khaibar; and I like to give it in charity." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give the land as endowment, and give its yields in the Cause of Allah." Ibn Abu Umar said: I found this narration in another place of my book I related from Sufyan from Abdullah from Nafi' from Ibn Umar that Umar Ibn Al-Khattab said...and he mentioned the same.

[5] What About The Borrowed Thing

2398- It is narrated on the authority of Abu Umamah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The borrowed thing should be given back (to its owner), and the gift (given for the benefit of others) should be brought back (to its owner once the advantage for which it is given is over)."

2399- It is narrated on the authority of Anas Ibn Malik that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The borrowed thing should be given back (to its owner), and the gift (given for the benefit of others) should be brought back (to its owner once the advantage for which it is given is over)."

2400- It is narrated on the authority of Samurah that he said that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The (lord of the) hand (say by way of borrowing, stealing, etc) is responsible for what it takes until it is brought back (to its owner)."

4 ـ بابُ مَنْ وَقَفَ

2396 ـ **حدّثنا** نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ. حَدَّثَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنِ ابْنِ عَوْنٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: أَصَابَ عُمَرُ بْنُ الْخَطَّابِ أَرْضاً بِخَيْبَرَ. فَأَتَى النَّبِيَّ ﷺ فَاسْتَأْمَرَهُ. فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي أَصَبْتُ مَالاً بِخَيْبَرَ. لَمْ أُصِبْ مَالاً قَطُّ أَنْفَسُ عِنْدِي مِنْهُ. فَمَا تَأْمُرُنِي بِهِ؟ فَقَالَ: **«إِنْ شِئْتَ حَبَّسْتَ أَصْلَهَا وَتَصَدَّقْتَ بِهَا»** قَالَ: فَعَمِلَ بِهَا عُمَرُ عَلَى أَنْ لاَ يُبَاعَ أَصْلُهَا وَلاَ يُوهَبَ وَلاَ يُورَثَ. تَصَدَّقَ بِهَا لِلْفُقَرَاءِ وَفِي الْقُرْبَى وَفِي الرِّقَابِ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ وَالضَّيْفِ. لاَ جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَهَا بِالْمَعْرُوفِ، أَوْ يُطْعِمَ صَدِيقاً. غَيْرَ مُتَمَوِّلٍ.

2397 ـ **حدّثنا** مُحَمَّدُ بْنُ أَبِي عُمَرَ الْعَدَنِيُّ. حَدَّثَنَا سُفْيَانُ عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: يَا رَسُولَ اللَّهِ إِنَّ الْمِائَةَ سَهْمٍ، الَّتِي بِخَيْبَرَ، لَمْ أُصِبْ مَالاً قَطُّ هُوَ أَحَبُّ إِلَيَّ مِنْهَا. وَقَدْ أَرَدْتُ أَنْ أَتَصَدَّقَ بِهَا. فَقَالَ النَّبِيُّ ﷺ: **«احْبِسْ أَصْلَهَا، وَسَبِّلْ ثَمَرَتَهَا»**.

قَالَ ابْنُ أَبِي عُمَرَ: فَوَجَدْتُ هٰذَا الْحَدِيثَ فِي مَوْضِعٍ آخَرَ فِي كِتَابِي، عَنْ سُفْيَانَ، عَنْ عَبْدِ اللَّهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ عُمَرُ. فَذَكَرَ نَحْوَهُ.

5 ـ بابُ العَارِيَةِ

2398 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنَا شُرَحْبِيلُ بْنُ مُسْلِمٍ؛ قَالَ: سَمِعْتُ أَبَا أُمَامَةَ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«الْعَارِيَةُ مُؤَدَّاةٌ، وَالْمِنْحَةُ مَرْدُودَةٌ»**.

2399 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ، وَعَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيَّانِ قَالاَ: حَدَّثَنَا مُحَمَّدُ بْنُ شُعَيْبٍ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ يَزِيدَ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«الْعَارِيَةُ مُؤَدَّاةٌ وَالْمِنْحَةُ مَرْدُودَةٌ»**.

2400 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُسْتَمِرِّ. حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ. ح وَحَدَّثَنَا يَحْيَى بْنُ حَكِيمٍ. حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، جَمِيعاً عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، عَنْ سَمُرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«عَلَى الْيَدِ مَا أَخَذَتْ حَتَّى تُؤَدِّيَهُ»**.

[6] What About The Deposit

2401- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, with whom anything is deposited on trust, has no warranty (to give to the depositor)."

[7] When An Honest One Invests The Property Of Others And Makes Profit

2402- It is narrated on the authority of Urwah Al-Bariqi that the Messenger of Allah "Allah's blessing and peace be upon him" gave him a Dinar to buy a goat for him; and he bought two (instead of one), and sold one of them for a Dinar; and thus he brought to the Messenger of Allah "Allah's blessing and peace be upon him" a goat and a Dinar. On that the Messenger of Allah "Allah's blessing and peace be upon him" invoked for (Allah's) Blessing upon him. Consequently, whenever he bought (anything, say) dust, he would make profit (from it).

(...) It is narrated on the authority of Urwah Ibn Abu Al-Ja'd Al-Bariqi that he said: Some imports reached (Medina), and the Messenger of Allah "Allah's blessing and peace be upon him" gave me a Dinar...and he mentioned the same.

[8] What About Transference

2403- It is narrated on the authority of Abu Hurairah: The Prophet "Allah's blessing and peace be upon him" said: "Procrastination (delay) in paying debts by a wealthy man is injustice. So, if (the debt of) anyone of you is transferred (from his debtor) to a rich debtor, let him agree."

2404- It is narrated on the authority of Ibn Umar that he said: The Prophet "Allah's blessing and peace be upon him" said: "Procrastination (delay) in paying debts by a wealthy man is injustice. So, if your (debt) is transferred (from your debtor) to a rich debtor, you should agree."

[9] What About The Bail

2405- It is narrated on the authority of Abu Umamah Al-Bahili that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The bailsman guarantees (the debt to be paid) for the debt should be fulfilled (anyway)."

2406- It is narrated on the authority of Ibn Abbas that during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", a man stuck to his debtor who owed him ten Dinars. He said to him: "I have

6 ـ بابُ الوَدِيعَةِ

2401 ـ **حدّثنا** عُبَيْدُ اللَّهِ بْنُ الْجَهْمِ الأَنْمَاطِيُّ. حَدَّثَنَا أَيُّوبُ بْنُ سُوَيْدٍ، عَنِ الْمُثَنَّى، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ أُودِعَ وَدِيعَةً، فَلاَ ضَمَانَ عَلَيْهِ»**.

7 ـ بابٌ الأَمِينُ يَتَّجِرُ فِيهِ فَيَرْبَحُ

2402 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ شَبِيبِ بْنِ غَرْقَدَةَ، عَنْ عُرْوَةَ الْبَارِقِيِّ؛ أَنَّ النَّبِيَّ ﷺ أَعْطَاهُ دِينَاراً يَشْتَرِي لَهُ شَاةً. فَاشْتَرَى لَهُ شَاتَيْنِ. فَبَاعَ إِحْدَاهُمَا بِدِينَارٍ. فَأَتَى النَّبِيَّ ﷺ بِدِينَارٍ وَشَاةٍ. فَدَعَا لَهُ رَسُولُ اللَّهِ ﷺ بِالْبَرَكَةِ.

قَالَ: فَكَانَ لَوِ اشْتَرَى التُّرَابَ لَرَبِحَ فِيهِ.

حدّثنا أَحْمَدُ بْنُ سَعِيدٍ الدَّارِمِيُّ. حَدَّثَنَا حَبَّانُ بْنُ هِلاَلٍ. حَدَّثَنَا سَعِيدُ بْنُ يَزِيدَ، عَنِ الزُّبَيْرِ بْنِ الْخِرِّيتِ، عَنْ أَبِي لَبِيدٍ لُمَازَةَ بْنِ زَبَّارٍ، عَنْ عُرْوَةَ بْنِ أَبِي الْجَعْدِ الْبَارِقِيِّ؛ قَالَ: قَدِمَ جَلَبٌ، فَأَعْطَانِي النَّبِيُّ ﷺ دِينَاراً. فَذَكَرَ نَحْوَهُ.

8 ـ بابُ الحَوَالَةِ

2403 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الظُّلْمُ مَطْلُ الْغَنِيِّ. وَإِذَا أُتْبِعَ أَحَدُكُمْ عَلَى مَلِيءٍ فَلْيَتْبَعْ»**.

2404 ـ **حدّثنا** إِسْمَاعِيلُ بْنُ تَوْبَةَ. حَدَّثَنَا هُشَيْمٌ عَنْ يُونُسَ بْنِ عُبَيْدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَطْلُ الْغَنِيِّ ظُلْمٌ. وَإِذَا أُحِلْتَ عَلَى مَلِيءٍ فَاتْبَعْهُ»**.

9 ـ بابُ الكَفَالَةِ

2405 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ وَالْحَسَنُ بْنُ عَرَفَةَ قَالاَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنِي شُرَحْبِيلُ بْنُ مُسْلِمٍ الْخَوْلاَنِيُّ. قَالَ: سَمِعْتُ أَبَا أُمَامَةَ الْبَاهِلِيَّ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«الزَّعِيمُ غَارِمٌ، وَالدَّيْنُ مَقْضِيٌّ»**.

2406 ـ **حدّثنا** مُحَمَّدُ بْنُ الصَّبَّاحِ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ الدَّرَاوَرْدِيُّ، عَنْ عَمْرِو بْنِ أَبِي عَمْرٍو، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ أَنَّ رَجُلاً لَزِمَ غَرِيماً لَهُ

nothing to give you." The other said: "No, by Allah! I'm not to leave you unless you fulfill my (right to) me, otherwise, you should bring a bailsman (to guarantee that for me)." He took him to the Messenger of Allah "Allah's blessing and peace be upon him"; and the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "How long would you give him as respite?" he said: "A month." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, I am his bailsman." He came to him in the specific time fixed by the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" asked him: "How have you got that?" he said: "From (an earthware) metal." He said: "There is no good in it." Then, he fulfilled his debt on behalf of him."

2407- It is narrated on the authority of Abdullah Ibn Abu Qatadah from his father that a dead body (of a deceased) was brought to the Messenger of Allah "Allah's blessing and peace be upon him" to offer funeral prayer for it, but the Messenger of Allah "Allah's blessing and peace be upon him" (refused and) said: "Offer funeral prayer for your companion: indeed, he is debtor." Abu Qatadah said: "I guarantee to fulfill it." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "Do you pledge (to do so)?" he said: "I pledge (to do so)." He owed (no more than) eighteen or nineteen Dirhams.

[10] When One Asks For Loan, Which He Intends To Fulfill

2408- It is narrated on the authority of Maimunah, the Mother of the Believers that she asked for loan, thereupon one of her family told her not to do, and disapproved that act from her. She said: "Nay! I heard my Prophet and friend "Allah's blessing and peace be upon him" having said: "There is no Muslim who asks for loan, which Allah knows he has the intention to fulfill it, but that Allah fulfills it on his behalf in this life."

2409- It is narrated on the authority of Abdullah Ibn Ja'far that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah is always with the debtor until he fulfills his debt, as long as it is not in what Allah dislikes." Henceforth, Abdullah used to say to his storekeeper: Go and ask for loan for me, for I dislike to spend a night on which Allah is not with me after that which I heard from the Messenger of Allah "Allah's blessing and peace be upon him".

[11] When One Asks For Loan Which He Does Not Intend To Fulfill

2410- It is narrated on the authority of Suhaib Al-Khair that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If a

بِعَشَرَةِ دَنَانِيرَ، عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ. فَقَالَ: مَا عِنْدِي شَيْءٌ أُعْطِيكَهُ. فَقَالَ: لاَ وَاللَّهِ لاَ أُفَارِقُكَ حَتَّى تَقْضِيَنِي أَوْ تَأْتِيَنِي بِحَمِيلٍ. فَجَرَّهُ إِلَى النَّبِيِّ ﷺ. فَقَالَ لَهُ النَّبِيُّ ﷺ: «**كَمْ تَسْتَنْظِرُهُ؟**» فَقَالَ: شَهْراً. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**فَأَنَا أَحْمِلُ لَهُ**» فَجَاءَهُ فِي الْوَقْتِ الَّذِي قَالَ النَّبِيُّ ﷺ. فَقَالَ لَهُ النَّبِيُّ ﷺ: «**مِنْ أَيْنَ أَصَبْتَ هٰذَا؟**» قَالَ: مِنْ مَعْدِنٍ. قَالَ: «**لاَ خَيْرَ فِيهَا**» وَقَضَاهَا عَنْهُ.

2407 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ، أَبُو عَامِرٍ. حَدَّثَنَا شُعْبَةُ عَنْ عُثْمَانَ بْنِ عَبْدِ اللَّهِ بْنِ مَوْهَبٍ، قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ أَبِي قَتَادَةَ، عَنْ أَبِيهِ؛ أَنَّ النَّبِيَّ ﷺ أُتِيَ بِجَنَازَةٍ لِيُصَلِّيَ عَلَيْهَا. فَقَالَ: «**صَلُّوا عَلَى صَاحِبِكُمْ. فَإِنَّ عَلَيْهِ دَيْناً**» فَقَالَ أَبُو قَتَادَةَ: أَنَا أَتَكَفَّلُ بِهِ. قَالَ النَّبِيُّ ﷺ: «**بِالْوَفَاءِ؟**» قَالَ: بِالْوَفَاءِ. وَكَانَ الَّذِي عَلَيْهِ ثَمَانِيَةَ عَشَرَ أَوْ تِسْعَةَ عَشَرَ دِرْهَماً.

10 ـ بابُ مَنِ ادَّانَ دَيْناً وهُوَ يَنْوِي قَضَاءَهُ

2408 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَبِيدَةُ بْنُ حُمَيْدٍ، عَنْ مَنْصُورٍ، عَنْ زِيَادِ بْنِ عَمْرِو بْنِ هِنْدٍ، عَنِ ابْنِ حُذَيْفَةَ (هُوَ عِمْرَانُ) عَنْ أُمِّ الْمُؤْمِنِينَ مَيْمُونَةَ؛ قَالَ: كَانَتْ تَدَّانُ دَيْناً. فَقَالَ لَهَا بَعْضُ أَهْلِهَا: لاَ تَفْعَلِي. وَأَنْكَرَ ذٰلِكَ عَلَيْهَا؛ قَالَتْ: بَلَىٰ. إِنِّي سَمِعْتُ نَبِيِّي وَخَلِيلِي ﷺ يَقُولُ: «**مَا مِنْ مُسْلِمٍ يَدَّانُ دَيْناً، يَعْلَمُ اللَّهُ مِنْهُ أَنَّهُ يُرِيدُ أَدَاءَهُ، إِلاَّ أَدَّاهُ اللَّهُ عَنْهُ فِي الدُّنْيَا**».

2409 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ الْمُنْذِرِ. حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ. حَدَّثَنَا سَعِيدُ بْنُ سُفْيَانَ مَوْلَى الأَسْلَمِيِّينَ، عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ جَعْفَرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**كَانَ اللَّهُ مَعَ الدَّائِنِ حَتَّى يَقْضِيَ دَيْنَهُ. مَا لَمْ يَكُنْ فِيمَا يَكْرَهُ اللَّهُ**».

قَالَ: فَكَانَ عَبْدُ اللَّهِ بْنُ جَعْفَرٍ يَقُولُ لِخَازِنِهِ: اذْهَبْ فَخُذْ لِي بِدَيْنٍ. فَإِنِّي أَكْرَهُ أَنْ أَبِيتَ لَيْلَةً إِلاَّ وَاللَّهُ مَعِي، بَعْدَ الَّذِي سَمِعْتُ مِنْ رَسُولِ اللَّهِ ﷺ.

11 ـ بابُ مَنِ ادَّانَ دَيْناً لَمْ يَنْوِ قَضَاءَهُ

2410 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا يُوسُفُ بْنُ مُحَمَّدِ بْنِ صَيْفِيِّ بْنِ صُهَيْبٍ الْخَيْرِ. حَدَّثَنِي عَبْدُ الْحَمِيدِ بْنُ زِيَادِ بْنِ صَيْفِيِّ بْنِ صُهَيْبٍ، عَنْ شُعَيْبِ بْنِ عَمْرٍو. حَدَّثَنَا صُهَيْبُ الْخَيْرِ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «**أَيُّمَا رَجُلٍ يَدِينُ دَيْناً، وَهُوَ مُجْمِعٌ أَنْ لاَ يُوَفِّيَهُ إِيَّاهُ، لَقِيَ اللَّهَ سَارِقاً**».

man takes up a loan, with the intention not to fulfill it, he will meet Allah as a thief (on the Day of Judgement)."

(...) The same is narrated on the authority of Suhaib from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

2411- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes the property of the people, with the intention to damage it, Allah will destroy him."

[12] The Severe Punishment Pertaining To (Non-Payment Of) Debt

2412- It is narrated on the authority of Thawban, the freed slave of the Messenger of Allah "Allah's blessing and peace be upon him", that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever likes to have his soul leave his body (i.e. die) while being free from those three things, will be admitted to the Garden: from arrogance (because of hoarding gold and silver), misappropriation and debt."

2413- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The believer's soul is suspended (from being admitted to the Garden) on account of his debt until it is fulfilled on behalf of him."

2414- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one dies and he owes a Dinar or even a Dirham (to another), (what is equal in value) will be fulfilled from his good deeds (to the creditor), for (in the hereafter) there will be no Dinar nor Dirham (to fulfill it)."

[13] If One Leaves Debts Or Dependents (After His Death) Allah And His Messenger Are Responsible For Them

2415- It is narrated on the authority of Abu Hurairah: Whenever a dead man in debt was brought to The Messenger of Allah "Allah's blessing and peace be upon him" he would ask: "Has he left anything to repay his debt?" If he was informed that he had left something to repay his debts, he would offer the funeral prayer for him, otherwise he would tell the Muslims to offer the funeral prayer for their companion. When Allah made The Prophet "Allah's blessing and peace be upon him" wealthy through conquests, he said: "I have more claim to be the guardian of the believers than their own selves, so if a Muslim dies while in debt, I am responsible for the

حدّثنا إِبْرَاهِيمُ بْنُ الْمُنْذِرِ الْحِزَامِيُّ. حَدَّثَنَا يُوسُفُ بْنُ مُحَمَّدِ بْنِ صَيْفِيَ، عَنْ عَبْدِ الْحَمِيدِ بْنِ زِيَادٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ صُهَيْبٍ، عَنِ النَّبِيِّ ﷺ نَحْوَهُ.

2411 ـ **حدّثنا** يَعْقُوبُ بْنُ حُمَيْدِ بْنِ كَاسِبٍ. حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ ثَوْرِ بْنِ زَيْدٍ الدِّيلِيِّ، عَنْ أَبِي الْغَيْثِ، مَوْلَى ابْنِ مُطِيعٍ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ إِتْلاَفَهَا، أَتْلَفَهُ اللَّهُ»**.

12 ـ بَابُ التَّشْدِيدِ فِي الدَّيْنِ

2412 ـ **حدّثنا** حُمَيْدُ بْنُ مَسْعَدَةَ. حَدَّثَنَا خَالِدُ بْنُ الْحَرِثِ. حَدَّثَنَا سَعِيدٌ عَنْ قَتَادَةَ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ، عَنْ مَعْدَانَ بْنِ أَبِي طَلْحَةَ، عَنْ ثَوْبَانَ، مَوْلَى رَسُولِ اللَّهِ ﷺ، عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ قَالَ: **«مَنْ فَارَقَ الرُّوحُ الْجَسَدَ، وَهُوَ بَرِيءٌ مِنْ ثَلاَثٍ، دَخَلَ الْجَنَّةَ: مِنَ الْكِبْرِ وَالْغُلُولِ وَالدَّيْنِ»**.

2413 ـ **حدّثنا** أَبُو مَرْوَانَ الْعُثْمَانِيُّ. حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنْ أَبِيهِ، عَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«نَفْسُ الْمُؤْمِنِ مُعَلَّقَةٌ بِدَيْنِهِ، حَتَّى يُقْضَىٰ عَنْهُ»**.

2414 ـ **حدّثنا** مُحَمَّدُ بْنُ ثَعْلَبَةَ بْنِ سَوَاءٍ. حَدَّثَنَا عَمِّي مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ حُسَيْنٍ الْمُعَلِّمِ، عَنْ مَطَرٍ الْوَرَّاقِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ مَاتَ وَعَلَيْهِ دِينَارٌ أَوْ دِرْهَمٌ قُضِيَ مِنْ حَسَنَاتِهِ. لَيْسَ ثَمَّ دِينَارٌ وَلاَ دِرْهَمٌ»**.

13 ـ بَابُ مَنْ تَرَكَ دَيْناً أو ضَيَاعاً فعلى الله وعلى رَسُولِهِ

2415 ـ **حدّثنا** أَحْمَدُ بْنُ عَمْرِو بْنِ السَّرْحِ الْمِصْرِيُّ. حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهْبٍ. أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَقُولُ، إِذَا تُوُفِّيَ الْمُؤْمِنُ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ وَعَلَيْهِ الدَّيْنُ فَيَسْأَلُ: **«هَلْ تَرَكَ لِدَيْنِهِ مِنْ قَضَاءٍ؟»** فَإِنْ قَالُوا: نَعَمْ، صَلَّى عَلَيْهِ. وَإِنْ قَالُوا: لاَ، قَالَ: **«صَلُّوا عَلَى صَاحِبِكُمْ»**. فَلَمَّا فَتَحَ اللَّهُ عَلَى رَسُولِهِ الْفُتُوحَ قَالَ: **«أَنَا أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنْفُسِهِمْ. فَمَنْ تُوُفِّيَ وَعَلَيْهِ دَيْنٌ، فَعَلَيَّ قَضَاؤُهُ. وَمَنْ تَرَكَ مَالاً، فَهُوَ لِوَرَثَتِهِ»**.

repayment of his debt, and whoever leaves wealth (after his death) it will belong to his heirs. "

2416- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who (dies and) leaves property, it should go to his heirs; and he, who (dies and) leaves debts or dependents, (his debt is) due upon me and (the matter of his dependents should be referred) to me: indeed, I have more claim to be the guardian of the believers."

[14] Giving Respite To The Insolvent

2417- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who makes it easy for an insolvent (by deferring the repayment of his debt), Allah makes things easy for him in the world."

2418- It is narrated on the authority of Buraidah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who gives respite to an insolvent one, will have (the reward of) its being charity for every day (he gives him); and if he gives him another respite after the coming of (the second) term of fulfillment, he will have besides, the like of (the reward of) its being charity for every day (he gives him)."

2419- It is narrated on the authority of Abu Al-Yasar, a companion of the Messenger of Allah "Allah's blessing and peace be upon him" that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who likes to have Allah shade him in His Shade (of Mercy), let him give respite to an insolvent (to repay his debt), or cancel it (the debt)."

2420- It is narrated on the authority of Hudhaifah from the Messenger of Allah "Allah's blessing and peace be upon him" that a man died, and he was asked about his deeds. He mentioned, or he was reminded: "I used to be lenient (in demanding) the currency (from my debtors), and give respite to the insolvent." On that Allah forgave for him." Abu Mas'ud said: I heard that (narration) from the Messenger of Allah "Allah's blessing and peace be upon him".

[15] The Good Demand (Of Debts) And Taking Rights With Chastity

2421- It is narrated on the authority of both Ibn Umar and A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever demands his right (from another), let him demand it with chastity, whether (he receives it) completely or incompletely."

2416 ـ **حدّثنا** عَلِيُّ بْنُ مُحَمَّدٍ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا سُفْيَانُ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ أَبِيهِ، عَنْ جَابِرٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ تَرَكَ مَالاً فَلِوَرَثَتِهِ. وَمَنْ تَرَكَ دَيْناً أَوْ ضَيَاعاً فَعَلَيَّ وَإِلَيَّ، وَأَنَا أَوْلَىٰ بِالْمُؤْمِنِينَ»**.

14 ـ بابُ إِنْظَارِ المُعْسِرِ

2417 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ يَسَّرَ عَلَى مُعْسِرٍ يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالآخِرَةِ»**.

2418 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ. حَدَّثَنَا أَبِي. حَدَّثَنَا الأَعْمَشُ، عَنْ نُفَيْعٍ أَبِي دَاوُدَ، عَنْ بُرَيْدَةَ الأَسْلَمِيِّ، عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ أَنْظَرَ مُعْسِراً كَانَ لَهُ بِكُلِّ يَوْمٍ صَدَقَةٌ. وَمَنْ أَنْظَرَهُ بَعْدَ حِلِّهِ كَانَ لَهُ مِثْلُهُ، فِي كُلِّ يَوْمٍ صَدَقَةٌ»**.

2419 ـ **حدّثنا** يَعْقُوبُ بْنُ إِبْرَاهِيمَ الدَّوْرَقِيُّ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ إِسْحَاقَ، عَنْ عَبْدِ الرَّحْمٰنِ بْنِ مُعَاوِيَةَ، عَنْ حَنْظَلَةَ بْنِ قَيْسٍ، عَنْ أَبِي الْيَسَرِ صَاحِبِ النَّبِيِّ ﷺ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ أَحَبَّ أَنْ يُظِلَّهُ اللَّهُ فِي ظِلِّهِ، فَلْيُنْظِرْ مُعْسِراً، أَوْ لِيَضَعْ لَهُ»**.

2420 ـ **حدّثنا** مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا أَبُو عَامِرٍ. حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ قَالَ: سَمِعْتُ رِبْعِيَّ بْنَ حِرَاشٍ يُحَدِّثُ عَنْ حُذَيْفَةَ، عَنِ النَّبِيِّ ﷺ: **«أَنَّ رَجُلاً مَاتَ. فَقِيلَ لَهُ: مَا عَمِلْتَ؟ (فَإِمَّا ذَكَرَ أَوْ ذُكِرَ) قَالَ: إِنِّي كُنْتُ أَتَجَوَّزُ فِي السِّكَّةِ وَالنَّقْدِ، وَأُنْظِرُ الْمُعْسِرَ. فَغَفَرَ اللَّهُ لَهُ»**.

قَالَ أَبُو مَسْعُودٍ: أَنَا قَدْ سَمِعْتُ هٰذَا مِنْ رَسُولِ اللَّهِ ﷺ.

15 ـ بابُ حُسْنِ المُطَالَبَةِ وأَخْذِ الحَقِّ في عَفَافٍ

2421 ـ **حدّثنا** مُحَمَّدُ بْنُ خَلَفٍ الْعَسْقَلاَنِيُّ وَمُحَمَّدُ بْنُ يَحْيَىٰ، قَالاَ: حَدَّثَنَا ابْنُ أَبِي مَرْيَمَ. حَدَّثَنَا يَحْيَىٰ بْنُ أَيُّوبَ، عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي جَعْفَرٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ وَعَائِشَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«مَنْ طَالَبَ حَقًّا فَلْيَطْلُبْهُ فِي عَفَافٍ**

2422- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said to the right petitioner: "Take your right with chastity, whether (it is given to you) completely or incompletely."

[16] The Good Fulfillment

2423- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The best among you or from amongst you is such as fulfill (what is due upon them to) the best among you."

2424- It is narrated on the authority of Isma'il Ibn Ibrahim Ibn Abdullah Ibn Abu Rabie'ah Al-Makhzumi that the Messenger of Allah "Allah's blessing and peace be upon him" took up a loan of thirty or forty thousand from him when he fought the holy battle of Hunain, and when he came back, he gave it back to him. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Might Allah bless you in your property and family: verily, the reward of (giving) loan is to fulfill it, and give thanks (to the lender)."

[17] The Right Petitioner Has The Claim (To Demand His Right)

2425- It is narrated on the authority of Ibn Abbas that he said: A man came to demand from the Messenger of Allah "Allah's blessing and peace be upon him" a debt or a right he owed him, and spoke harshly (to some extent), thereupon the companions of the Messenger of Allah "Allah's blessing and peace be upon him" intended to harm him. But the Messenger of Allah "Allah's blessing and peace be upon him" said: "Leave him: indeed, the right petitioner has the claim (to demand his right) from the debtor until he fulfills it to him."

2426- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: A Bedouin came to the Messenger of Allah "Allah's blessing and peace be upon him" to demand a right he owed him, and he was hard in his speech to him so much that he said to him: "I will put you to a critical situation unless you give me back my right." His (the Prophet's) companions scolded him and said: "Woe to you! Do you know with whom you speak?" he said: "I just demand my right." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Is not (better for) you to take the side of the right petitioner?" he sent to Khawlah Bint Qais saying: "If you have dates, lend us (some of that) and when our dates come, we would give it back to you." She said: "Yes (I have) let my father be sacrificed for you O Messenger of Allah!" she lent him, and he fulfilled to the Bedouin his right,

وَافٍ، أَوْ غَيْرِ وَافٍ».

2422 ـ **حدّثنا** مُحَمَّدُ بْنُ الْمُؤَمَّلِ بْنِ الصَّبَّاحِ الْقَيْسِيُّ. حَدَّثَنَا مُحَمَّدُ بْنُ مُحَبَّبٍ الْقُرَشِيُّ. حَدَّثَنَا سَعِيدُ بْنُ السَّائِبِ الطَّائِفِيُّ، عَنْ عَبْدِ اللَّهِ بْنِ يَامِينَ، عَنْ أَبِي هُرَيْرَةَ؛ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ لِصَاحِبِ الْحَقِّ: **«خُذْ حَقَّكَ فِي عَفَافٍ وَافٍ، أَوْ غَيْرِ وَافٍ».**

16 ـ بَابُ حُسْنِ الْقَضَاءِ

2423 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا شَبَابَةُ. ح وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ. حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، قَالاَ: حَدَّثَنَا شُعْبَةُ عَنْ سَلَمَةَ بْنِ كُهَيْلٍ: سَمِعْتُ أَبَا سَلَمَةَ بْنَ عَبْدِ الرَّحْمٰنِ يُحَدِّثُ عَنْ أَبِي هُرَيْرَةَ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ خَيْرَكُمْ (أَوْ مِنْ خَيْرِكُمْ) أَحَاسِنُكُمْ قَضَاءً».**

2424 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي رَبِيعَةَ الْمَخْزُومِيُّ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ أَنَّ النَّبِيَّ ﷺ اسْتَلَفَ مِنْهُ، حِينَ غَزَا حُنَيْناً، ثَلاَثِينَ أَوْ أَرْبَعِينَ أَلْفاً. فَلَمَّا قَدِمَ قَضَاهَا إِيَّاهُ. ثُمَّ قَالَ لَهُ النَّبِيُّ ﷺ: **«بَارَكَ اللَّهُ لَكَ فِي أَهْلِكَ وَمَالِكَ. إِنَّمَا جَزَاءُ السَّلَفِ الْوَفَاءُ وَالْحَمْدُ».**

17 ـ بَابٌ لِصَاحِبِ الْحَقِّ سُلْطَانٌ

2425 ـ **حدّثنا** مُحَمَّدُ بْنُ عَبْدِ الأَعْلَى الصَّنْعَانِيُّ. حَدَّثَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ عَنْ أَبِيهِ، عَنْ حَنَشٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ؛ قَالَ: جَاءَ رَجُلٌ يَطْلُبُ نَبِيَّ اللَّهِ ﷺ بِدَيْنٍ، أَوْ بِحَقٍّ. فَتَكَلَّمَ بِبَعْضِ الْكَلاَمِ. فَهَمَّ صَحَابَةُ رَسُولِ اللَّهِ ﷺ بِهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: **«مَهْ. إِنَّ صَاحِبَ الدَّيْنِ لَهُ سُلْطَانٌ عَلَى صَاحِبِهِ، حَتَّى يَقْضِيَهُ».**

2426 ـ **حدّثنا** إِبْرَاهِيمُ بْنُ عَبْدِ اللَّهِ بْنِ مُحَمَّدِ بْنِ عُثْمَانَ، أَبُو شَيْبَةَ. حَدَّثَنَا ابْنُ أَبِي عُبَيْدَةَ (أَظُنُّهُ قَالَ). حَدَّثَنَا أَبِي عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ؛ قَالَ: جَاءَ أَعْرَابِيٌّ إِلَى النَّبِيِّ ﷺ يَتَقَاضَاهُ دَيْناً كَانَ عَلَيْهِ. فَاشْتَدَّ عَلَيْهِ، حَتَّى قَالَ لَهُ: أُحَرِّجُ عَلَيْكَ إِلاَّ قَضَيْتَنِي. فَانْتَهَرَهُ أَصْحَابُهُ وَقَالُوا: وَيْحَكَ تَدْرِي مَنْ تُكَلِّمُ؟ قَالَ: إِنِّي أَطْلُبُ حَقِّي. فَقَالَ النَّبِيُّ ﷺ: **«هَلاَّ مَعَ صَاحِبِ الْحَقِّ كُنْتُمْ؟»** ثُمَّ أَرْسَلَ إِلَى خَوْلَةَ بِنْتِ قَيْسٍ فَقَالَ لَهَا: **«إِنْ كَانَ عِنْدَكِ تَمْرٌ فَأَقْرِضِينَا حَتَّى يَأْتِيَنَا تَمْرُنَا فَنَقْضِيَكِ»** فَقَالَتْ: نَعَمْ. بِأَبِي أَنْتَ يَا رَسُولَ اللَّهِ ﷺ. قَالَ: فَأَقْرَضَتْهُ. فَقَضَى الأَعْرَابِيَّ وَأَطْعَمَهُ. فَقَالَ: أَوْفَيْتَ. أَوْفَى اللَّهُ لَكَ. فَقَالَ: **«أُولَئِكَ خِيَارُ النَّاسِ. إِنَّهُ لاَ قُدِّسَتْ أُمَّةٌ لاَ يَأْخُذُ الضَّعِيفُ فِيهَا حَقَّهُ غَيْرَ مُتَعْتَعٍ».**

and served him with food. On that he (the Bedouin) said: "You have fulfilled (what is due upon you) to the best: might Allah fulfill (the reward) to you to the best!" he said: "Those (Muslims) are the best of people: blessed not be a nation, in which the weak among them never takes his right without being disturbed."

[18] The Debt Might Sentence The Debtor To The Prison

2427- It is narrated on the authority of Amr Ibn Ash-Sharid from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The procrastination of such as able (to fulfill his debt) makes lawful both his honour and punishment." At-Tanafisi says: He means his honour by complaining him (to the judge), and his punishment by being sentenced to prison.

2428- It is narrated on the authority of Al-Hirmas Ibn Habib from his father from his grandfather that he said: I brought my debtor to the Messenger of Allah "Allah's blessing and peace be upon him", who told me to stick to him (until he would fulfill his debt). At the last portion of the day, he came upon me and said: "What has your captive (debtor) done O brother of Banu Tamim?"

2429- It is narrated on the authority of Abdullah Ibn Ka'b Ibn Malik from his father: Ka'b demanded his debt back from Ibn Abu Hadrad in the Mosque and their voices grew louder till The Messenger of Allah "Allah's blessing and peace be upon him" heard them while he was in his home. He came out to them, raising the curtain of his room, addressing Ka'b: "O Ka'b!" Ka'b replied: "Here I'm responding to your call, O Allah's Apostle!" He (The Prophet) said (to him): "Reduce your debt" gesturing with his hand to one half. Ka'b said: "I have done so, O Allah's Apostle!" On that The Prophet "Allah's blessing and peace be upon him" said to Ibn Abu Hadrad: "Get up and fulfill the debt to him."

[19] What About The Loan

2430- It is narrated on the authority of Qais Ibn Rumi that he said: Sulaiman Ibn Udhunan lent Alqamah one thousand Dirhams (provided that it would be fulfilled) when he would receive his yearly salary. When it came to him, he (the lender) demanded his money, and was hard on him, and he fulfilled it to him; but Alqamah seemed to have become angry (for that). Several months later, he came to him once again, and asked him to lend him one thousand Dirhams (to be fulfilled) when his yearly salary would come. He said to him: "With all pleasure! O Umm Utbah! Bring me this closed box which is with you!" when she brought it, he said to him:

18 ـ بابُ الحَبْسِ في الدَّيْنِ والمُلازَمَةِ

2427 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ وَعَلِيُّ بْنُ مُحَمَّدٍ، قَالاَ: حَدَّثَنَا وَكِيعٌ. حَدَّثَنَا وَبْرُ بْنُ أَبِي دُلَيْلَةَ الطَّائِفِيُّ. حَدَّثَنِي مُحَمَّدُ بْنُ مَيْمُونِ بْنِ مُسَيْكَةَ (قَالَ وَكِيعٌ وَأَثْنَىٰ عَلَيْهِ خَيْراً) عَنْ عَمْرِو بْنِ الشَّرِيدِ، عَنْ أَبِيهِ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَيُّ الْوَاجِدِ يُحِلُّ عِرْضَهُ وَعُقُوبَتَهُ»**.

قَالَ عَلِيٌّ الطَّنَافِسِيُّ: يَعْنِي عِرْضَهُ شِكَايَتَهُ، وَعُقُوبَتَهُ سِجْنَهُ.

2428 ـ **حدّثنا** هَدِيَّةُ بْنُ عَبْدِ الْوَهَّابِ. حَدَّثَنَا النَّضْرُ بْنُ شُمَيْلٍ. حَدَّثَنَا الْهِرْمَاسُ بْنُ حَبِيبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ؛ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ بِغَرِيمٍ لِي. فَقَالَ لِي: **«الْزَمْهُ»**. ثُمَّ مَرَّ بِي آخِرَ النَّهَارِ فَقَالَ: **«مَا فَعَلَ أَسِيرُكَ يَا أَخَا بَنِي تَمِيمٍ؟»**.

2429 ـ **حدّثنا** مُحَمَّدُ بْنُ يَحْيَىٰ وَيَحْيَىٰ بْنُ حَكِيمٍ، قَالاَ: حَدَّثَنَا عُثْمَانُ بْنُ عُمَرَ. أَنْبَأَنَا يُونُسُ بْنُ يَزِيدَ، عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ كَعْبِ بْنِ مَالِكٍ، عَنْ أَبِيهِ؛ أَنَّهُ تَقَاضَىٰ ابْنَ أَبِي حَدْرَدٍ دَيْناً لَهُ عَلَيْهِ فِي الْمَسْجِدِ. حَتَّى ارْتَفَعَتْ أَصْوَاتُهُمَا، حَتَّى سَمِعَهُمَا رَسُولُ اللَّهِ ﷺ وَهُوَ فِي بَيْتِهِ. فَخَرَجَ إِلَيْهِمَا. فَنَادَى كَعْباً. فَقَالَ: لَبَّيْكَ يَا رَسُولَ اللَّهِ قَالَ: **«دَعْ مِنْ دَيْنِكَ هٰذَا»** وَأَوْمَأَ بِيَدِهِ إِلَى الشَّطْرِ. فَقَالَ: قَدْ فَعَلْتُ. قَالَ: **«قُمْ فَاقْضِهِ»**.

19 ـ بابُ القَرْضِ

2430 ـ **حدّثنا** مُحَمَّدُ بْنُ خَلَفٍ الْعَسْقَلاَنِيُّ. حَدَّثَنَا يَعْلَىٰ. حَدَّثَنَا سُلَيْمَانُ بْنُ يَسِيرٍ، عَنْ قَيْسِ بْنِ رُومِيٍّ؛ قَالَ: كَانَ سُلَيْمَانُ بْنُ أُذْنَانٍ يُقْرِضُ عَلْقَمَةَ أَلْفَ دِرْهَمٍ إِلَى عَطَائِهِ. فَلَمَّا خَرَجَ عَطَاؤُهُ تَقَاضَاهَا مِنْهُ وَاشْتَدَّ عَلَيْهِ، فَقَضَاهُ. فَكَأَنَّ عَلْقَمَةَ غَضِبَ. فَمَكَثَ أَشْهُراً ثُمَّ أَتَاهُ فَقَالَ: أَقْرِضْنِي أَلْفَ دِرْهَمٍ إِلَى عَطَائِي. قَالَ: نَعَمْ. وَكَرَامَةً. يَا أُمَّ عُتْبَةَ هَلُمِّي تِلْكَ الْخَرِيطَةَ الْمَخْتُومَةَ الَّتِي عِنْدَكِ. فَجَاءَتْ بِهَا. فَقَالَ: أَمَا وَاللَّهِ إِنَّهَا لَدَرَاهِمُكَ الَّتِي قَضَيْتَنِي. مَا حَرَّكْتُ مِنْهَا دِرْهَماً وَاحِداً. قَالَ: فَلِلَّهِ أَبُوكَ مَا حَمَلَكَ

"By Allah! Those are your Dirhams which you gave to me, and I did not take even a single one out of them." He said to him: "By the life of your father! What led you to do with me that which you had done?" he said: "What I heard from you." He said: "What did you hear from me?" he said: "I heard you relating from Ibn Mas'ud that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no Muslim who gives loan to another Muslim twice, but that he will receive (in the second time) the like of (the reward of) its being charity (besides that he receives) in the first one." He said: "As such Ibn Mas'ud told me."

2431- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "On my Night Journey, I saw (the following statement being) written on the gate of the Garden: "The (object of) charity will be (rewarded with) ten times the like of it, and the loan with eighteen." I asked: "O Gabriel! Why is the loan better (in reward) than the charity?" he said: "That's because the beggar asks (to be given) while he has (what he spends), and the loan-invoker does not take it except on account of his need of it.""

2432- It is narrated on the authority of Yahya Ibn Abu Ishaq Al-Huna'i that he said: I asked Anas Ibn Malik: "When anyone of us gives a loan to his (Muslim) brother, and he gives a gift to him (what will he do?)" he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you gives a loan (to another), who gives him a gift or even (offers to him to) carry him on the mount, let not him ride it, nor accept that (gift), unless it was his habit before this (loan)."

[20] Fulfilling The Debt On Behalf Of A Deceased

2433- It is narrated on the authority of Sa'd Ibn Al-Atwal that his brother died, and left three hundred Dirhams: I intended to spend it on his dependents, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Your brother is detained (from being admitted to the Garden) on account of his debt: so, fulfill his debt on behalf of him." I said: "O Messenger of Allah! I've fulfill his debts barring two Dinars, over which a woman has a claim, even though she has no evidence." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give that to her, for she is right."

2434- It is narrated on the authority of Jabir Ibn Abdullah that when his father died he owed a Jew thirty Wasaqs (of dates). Jabir Ibn Abdullah requested the Jew to give him respite for repaying but he refused. Jabir requested The Messenger of Allah "Allah's blessing and peace be upon

عَلَى مَا فَعَلْتَ بِي؟ قَالَ: مَا سَمِعْتُ مِنْكَ. قَالَ: مَا سَمِعْتُ مِنِّي؟ قَالَ: سَمِعْتُكَ تَذْكُرُ عَنِ ابْنِ مَسْعُودٍ أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَا مِنْ مُسْلِمٍ يُقْرِضُ مُسْلِماً قَرْضاً مَرَّتَيْنِ إِلاَّ كَانَ كَصَدَقَتِهَا مَرَّةً»**.

قَالَ: كَذٰلِكَ أَنْبَأَنِي ابْنُ مَسْعُودٍ.

2431 ـ **حدّثنا** عُبَيْدُ اللَّهِ بْنُ عَبْدِ الْكَرِيمِ. حَدَّثَنَا هِشَامُ بْنُ خَالِدٍ. حَدَّثَنَا خَالِدُ بْنُ يَزِيدَ. وَحَدَّثَنَا أَبُو حَاتِمٍ. حَدَّثَنَا هِشَامُ بْنُ خَالِدٍ. حَدَّثَنَا خَالِدُ بْنُ يَزِيدَ بْنِ أَبِي مَالِكٍ، عَنْ أَبِيهِ، عَنْ أَنَسِ بْنِ مَالِكٍ؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«رَأَيْتُ لَيْلَةَ أُسْرِيَ بِي عَلَى بَابِ الْجَنَّةِ مَكْتُوباً: الصَّدَقَةُ بِعَشْرِ أَمْثَالِهَا. وَالْقَرْضُ بِثَمَانِيَةَ عَشَرَ. فَقُلْتُ: يَا جِبْرِيلُ مَا بَالُ الْقَرْضِ أَفْضَلُ مِنَ الصَّدَقَةِ؟ قَالَ: لِأَنَّ السَّائِلَ يَسْأَلُ وَعِنْدَهُ. وَالْمُسْتَقْرِضُ لاَ يَسْتَقْرِضُ إِلاَّ مِنْ حَاجَةٍ»**.

2432 ـ **حدّثنا** هِشَامُ بْنُ عَمَّارٍ. حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ. حَدَّثَنِي عُتْبَةُ بْنُ حُمَيْدٍ الضَّبِّيُّ، عَنْ يَحْيَىٰ بْنِ أَبِي إِسْحَاقَ الْهُنَائِيِّ؛ قَالَ: سَأَلْتُ أَنَسَ بْنَ مَالِكٍ: الرَّجُلُ مِنَّا يُقْرِضُ أَخَاهُ الْمَالَ فَيُهْدِي لَهُ؟ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا أَقْرَضَ أَحَدُكُمْ قَرْضاً فَأَهْدَىٰ لَهُ، أَوْ حَمَلَهُ عَلَى الدَّابَّةِ، فَلاَ يَرْكَبْهَا وَلاَ يَقْبَلْهُ. إِلاَّ أَنْ يَكُونَ جَرَى بَيْنَهُ وَبَيْنَهُ قَبْلَ ذٰلِكَ»**.

20 ـ بَابُ أَدَاءِ الدَّيْنِ عَنِ الْمَيِّتِ

2433 ـ **حدّثنا** أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ. حَدَّثَنَا عَفَّانُ. حَدَّثَنَا حَمَّادُ بْنُ سَلَمَةَ. أَخْبَرَنِي عَبْدُ الْمَلِكِ أَبُو جَعْفَرٍ، عَنْ أَبِي نَضْرَةَ، عَنْ سَعْدِ بْنِ الأَطْوَلِ؛ أَنَّ أَخَاهُ مَاتَ وَتَرَكَ ثَلاَثَمِائَةِ دِرْهَمٍ. وَتَرَكَ عِيَالاً. فَأَرَدْتُ أَنْ أُنْفِقَهَا عَلَى عِيَالِهِ. فَقَالَ النَّبِيُّ ﷺ: **«إِنَّ أَخَاكَ مُحْتَبَسٌ بِدَيْنِهِ. فَاقْضِ عَنْهُ»**. فَقَالَ: يَا رَسُولَ اللَّهِ قَدْ أَدَّيْتُ عَنْهُ إِلاَّ دِينَارَيْنِ، ادَّعَتْهُمَا امْرَأَةٌ وَلَيْسَ لَهَا بَيِّنَةٌ. قَالَ: **«فَأَعْطِهَا فَإِنَّهَا مُحِقَّةٌ»**.

2434 ـ **حدّثنا** عَبْدُ الرَّحْمٰنِ بْنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ. حَدَّثَنَا شُعَيْبُ بْنُ إِسْحَاقَ. حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ وَهْبِ بْنِ كَيْسَانَ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ؛ أَنَّ أَبَاهُ تُوُفِّيَ وَتَرَكَ عَلَيْهِ ثَلاَثِينَ وَسْقاً لِرَجُلٍ مِنَ الْيَهُودِ. فَاسْتَنْظَرَهُ جَابِرُ بْنُ عَبْدِ اللَّهِ. فَأَبَىٰ أَنْ يُنْظِرَهُ: فَكَلَّمَ جَابِرٌ رَسُولَ اللَّهِ ﷺ لِيَشْفَعَ لَهُ إِلَيْهِ. فَجَاءَهُ رَسُولُ اللَّهِ ﷺ. فَكَلَّمَ الْيَهُودِيَّ لِيَأْخُذَ ثَمَرَ نَخْلِهِ بِالَّذِي لَهُ عَلَيْهِ. فَأَبَىٰ عَلَيْهِ. فَكَلَّمَهُ رَسُولُ اللَّهِ ﷺ فَأَبَىٰ

him" to intercede with the Jew. The Messenger of Allah "Allah's blessing and peace be upon him" went to the Jew and asked him to accept the fruits of his trees in place of the debt but the Jew refused. The Messenger of Allah "Allah's blessing and peace be upon him" spoke to the Jew (asking him for respite), but the Jew refused to give respite (for the repayment of the debt). Then, the Messenger of Allah "Allah's blessing and peace be upon him" entered the garden of the date-palms, wandered among the trees and told Jabir: "Pluck (the fruits) and give him his due to the full." So, he plucked the fruits for him after the departure of The Messenger of Allah "Allah's blessing and peace be upon him" and gave him his thirty Wasaqs, and twelve Wasaqs remained for him. Jabir went to The Messenger of Allah "Allah's blessing and peace be upon him" to brief him of what had happened, but he found him absent. After the Messenger of Allah "Allah's blessing and peace be upon him" had turned away, he came to him, and told him that he had fulfilled his right, and made a mention of the extra fruits which remained. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Inform Umar Ibn Al-Khattab of it." When Jabir went to Umar and told him about it, Umar said: "When The Messenger of Allah "Allah's blessing and peace be upon him" walked in your garden, I was sure that Allah would definitely bless it."

[21] There Are Three Fields, And If One Takes Up A Loan For Anyone Of Them, Allah Will Fulfill It On His Behalf

2435- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The debt will be taken back from the debtor when he dies on the Day of Judgement, barring such as takes up a loan for three reasons: when a man becomes weak on account of (his Jihad) in the Cause of Allah, and he takes up loan to reinforce himself for facing Allah's enemies; a man has a Muslim person die in his house, and he could not afford for his shroud and burial ceremonies but with the help of a debt; and a man fears Allah on account of (the evil effect of) celibacy on himself, and he (takes up loan to) get married, to safeguard his religion: Allah will fulfill on behalf of those on the Day of Judgement."

أَنْ يُنْظِرَهُ. فَدَخَلَ رَسُولُ اللَّهِ ﷺ النَّخْلَ. فَمَشَى فِيهَا. ثُمَّ قَالَ لِجَابِرٍ: «**جُدْ لَهُ فَأَوْفِهِ الَّذِي لَهُ**» فَجَدَّ لَهُ، بَعْدَمَا رَجَعَ رَسُولُ اللَّهِ ﷺ، ثَلاَثِينَ وَسْقاً. وَفَضَلَ لَهُ اثْنَا عَشَرَ وَسْقاً. فَجَاءَ جَابِرٌ رَسُولَ اللَّهِ ﷺ لِيُخْبِرَهُ بِالَّذِي كَانَ. فَوَجَدَ رَسُولَ اللَّهِ ﷺ غَائِباً. فَلَمَّا انْصَرَفَ رَسُولُ اللَّهِ ﷺ جَاءَهُ فَأَخْبَرَهُ أَنَّهُ قَدْ أَوْفَاهُ. وَأَخْبَرَهُ بِالْفَضْلِ الَّذِي فَضَلَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَخْبِرْ بِذٰلِكَ عُمَرَ بْنَ الْخَطَّابِ**» فَذَهَبَ جَابِرٌ إِلَى عُمَرَ فَأَخْبَرَهُ. فَقَالَ لَهُ عُمَرُ: لَقَدْ عَلِمْتُ حِينَ مَشَى فِيهِ رَسُولُ اللَّهِ ﷺ، لَيُبَارِكَنَّ اللَّهُ فِيهَا.

21 ـ بابٌ ثَلاثٌ مَنِ ادَّانَ فيهنَّ قَضَى الله عَنْهُ

2435 ـ حدّثنا أَبُو كُرَيْبٍ. حَدَّثَنَا رِشْدِينُ بْنُ سَعْدٍ وَعَبْدُ الرَّحْمٰنِ الْمُحَارِبِيُّ وَأَبُو أُسَامَةَ وَجَعْفَرُ بْنُ عَوْنٍ، عَنِ ابْنِ أَنْعُمٍ؛ قَالَ أَبُو كُرَيْبٍ: وَحَدَّثَنَا وَكِيعٌ عَنْ سُفْيَانَ، عَنِ ابْنِ أَنْعُمٍ، عَنْ عِمْرَانَ بْنِ عَبْدٍ الْمَعَافِرِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو؛ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ الدَّيْنَ يُقْضَىٰ مِنْ صَاحِبِهِ يَوْمَ الْقِيَامَةِ إِذَا مَاتَ. إِلاَّ مَنْ يَدِينُ فِي ثَلاَثِ خِلاَلٍ: الرَّجُلُ تَضْعُفُ قُوَّتُهُ فِي سَبِيلِ اللَّهِ فَيَسْتَدِينُ يَتَقَوَّى بِهِ لِعَدُوِّ اللَّهِ وَعَدُوِّهِ. وَرَجُلٌ يَمُوتُ عِنْدَهُ مُسْلِمٌ، لاَ يَجِدُ مَا يُكَفِّنُهُ وَيُوَارِيهِ إِلاَّ بِدَيْنٍ. وَرَجُلٌ خَافَ اللَّهَ عَلَى نَفْسِهِ الْعُزْبَةَ، فَيَنْكِحُ خَشْيَةَ عَلَى دِينِهِ. فَإِنَّ اللَّهَ يَقْضِي عَنْ هٰؤُلاَءِ يَوْمَ الْقِيَامَةِ**».

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